

Summary Page

Name of Facility Pilgrim's Pride Corporation

Pretreatment Permit No. GAP050073

This permit is a reissuance of a pretreatment permit for Pilgrim's Pride Corporation. The facility discharges a maximum of 0.375 MGD of treated poultry products processing wastewater, sanitary wastewater, boiler blowdown, and plant and equipment washdown. This facility discharges to the City of Elberton (Falling Creek WPCP) in the Savannah River Basin. The permit expires on October 31, 2021.

The permit was placed on public notice from September 15, 2021 to October 15, 2021.

Please Note The Following Changes to the Proposed Pretreatment Permit From The Existing Permit

Part I.A.1. – Effluent Limitations and Monitoring Requirements

- ☐ Removed mass-based limits for oil and grease

Standard Conditions & Boilerplate Modifications

The permit boilerplate includes modified language or added language consistent with other Pretreatment permits.

Final Permit Determinations and Public Comments

- ☐ Final issued permit did not change from the draft permit placed on public notice.
- ☒ Public comments were received during public notice period.
- ☐ Public hearing was held.
- ☒ Final permit includes changes from the draft permit placed on public notice. See attached permit revisions and/or permit fact sheet revisions document(s)

Revisions to Fact Sheet

Name of Facility Pilgrim's Pride Corporation

Pretreatment Permit No. GAP050073

Were there any revisions between the draft proposed pretreatment permit placed on public notice and the final proposed pretreatment permit? If yes, specify:

Yes

No



Section 3.6.c.

- Corrected TSS calculations to match the local limits evaluation, using removal efficiency data from the City of Elberton's DMR data.

Section 3.6.f.

- Corrected a typographical error in one line of the calculations from "arsenic (AHL)" to "ammonia (AHL)"

Appendix A

- Corrected pages of Sewer Use Ordinance to be in numerical order.

Appendix C

- Included Tables 5, 6, and 9 to show that these tables in the calculations are blank, as they are not relevant to the treatment and sludge disposal methods used by the POTW.

The permittee has been made aware of these changes.

**Public Comments and EPD Responses on Draft Pretreatment Permit
Pilgrim's Pride Corporation (Elbert County) – Permit No. GAP050073**

COMMENTS RECEIVED	EPD RESPONSE
<p>While the limits for BOD₅ and TSS are higher than I would like, I might overlook that, if there were a solid justification for putting high loads of BOD₅ and TSS into the sewage system for Falling Creek wastewater treatment. Essentially what that is doing is transferring the cost of aeration from the producer to the taxpayer. It is not that the sewage treatment plant can't handle it, it is that the sewage treatment plant should not have to handle it unless, of course, Pilgrim's Pride is paying extra for it.</p> <p>It seems curious to me that the limits set for BOD₅ and TSS are exactly the same, given that they are related only tangentially in that some of the TSS also represents BOD.</p>	<p>Local limits are evaluated based on the potential for pass-through and interference at the POTW, local ordinances and federal effluent limitation guidelines. The calculated local limits based on pass-through and interference were 1724.7 mg/L of BOD and 1763.57 mg/L of TSS. The City of Elberton Sewer Use Ordinance sets limits for BOD and TSS at 750 mg/L. The limits included in the proposed permit of 250 mg/L were maintained from the previous permit in accordance with the antibacksliding requirements of the Clean Water Act Section 402(o).</p>
<p>I note that there are large differences between maximal concentrations and average concentrations in several measures of actual concentration at the outfall for BOD₅, TSS, Ammonia, and COD. I also note that maximal daily value for BOD₅, TSS and Ammonia each violated the EPD set limits for those concentrations at the outfall during the previous permit period. Were those violations reported at the time they occurred and were the causes identified and corrected? In other words, can we trust Pilgrim's Pride to report violations and correct the problems that led to the violations?</p>	<p>The facility received Notices of Violations (NOVs) from EPD on April 15, 2020 and December 23, 2020 documenting permit violations which occurred between January 2017 and August 2020.</p> <p>In response letters from the facility dated April 30, 2020 and January 4, 2021 the company outlined planned changes which they believed would result in compliance with their effluent limitations going forward. These changes included:</p> <ul style="list-style-type: none"> • Fixing a malfunctioning auto-purge unit • Adding supplemental alkalinity and nitrifying bacteria to the treatment pond • Improvements to the aeration pond, including the installation of a high efficiency blower connected to floating laterals with subsurface to improve mixing and increase dissolved oxygen concentrations • Routine ammonia testing in-house on incoming wastewater to provide warning of high ammonia concentrations

**Public Comments and EPD Responses on Draft NPDES Permit
Pilgrim's Pride Corporation (Elbert County) – Permit No. GAP050073**

COMMENTS RECEIVED	EPD RESPONSE
	<ul style="list-style-type: none"> • Alkalinity testing to indicate when additional alkalinity maybe needed • Daily monitoring of refrigeration equipment, and if an issue is found, wastewater with high ammonia concentrations is diverted into containers and hauled off site
<p>There are a couple of errors in the published copy. First, on page 10 of the FACT SHEET in the calculations, the third equation should read ammonia (AHL) not arsenic (AHL). Second, Appendix A is out of order, the first 10 pages are 17-8 in that order, followed by 18, then by 35-19 in that order, then 36, then 41-37 in that order, and finally 42. And Appendix C seems to be missing Tables 5, 6, and 9.</p>	<p>The typographical error in Section 3.6.f. of the proposed fact sheet has been correct.</p> <p>The pages of Appendix A have been rearranged into the correct order (pages 8 through 42 of the Sewer Use Ordinance).</p> <p>Tables 5, 6, and 9 were not included in Appendix C of the proposed fact sheet as the calculations are not relevant to discharges to this POTW because sludge is sent off-site to a landfill and the POTW does not use anaerobic digestion. Tables 5, 6, and 9 have been included in the proposed fact sheet to show that they are blank.</p>



Richard E. Dunn, Director

EPD Director's Office

2 Martin Luther King, Jr. Drive
Suite 1456, East Tower
Atlanta, Georgia 30334
404-656-4713

12/17/2021

Mr. Stephen James
Pilgrim's Pride Corporation
P.O Box 519
Elberton, Georgia 30635

RE: Permit Issuance
Pilgrim's Pride Corporation
Pretreatment Permit GAP050073
Elbert County, Savannah River Basin

Dear Mr. James:

Pursuant to the Georgia Water Quality Control Act, as amended, the Federal Clean Water Act, as amended, and the Rules and Regulations promulgated thereunder, we have issued the attached permit for the above-referenced facility.

Your facility has been assigned to the following EPD office for reporting and compliance. Signed copies of all required reports shall be submitted to the following address:

Environmental Protection Division
Watershed Compliance Program
2 MLK Jr. Drive
Suite 1152 East
Atlanta, Georgia 30334

Please be advised that on and after the effective date indicated in the permit, the permittee must comply with all terms, conditions, and limitations of the permit. If you have questions concerning this correspondence, please contact Shante Bailey at 470-524-5789 or Shante.Bailey@dnr.ga.gov.

Sincerely,

Richard E. Dunn
Director

RED:sb

Enclosure(s)

CC: EPD Watershed Compliance Program – Ms. Karen Sauler (email)
City of Elberton – Mr. Jason Hackett (jhackett@cityofelberton.net)



GEORGIA

DEPARTMENT OF NATURAL RESOURCES

ENVIRONMENTAL PROTECTION DIVISION

Industrial Pretreatment Permit

In accordance with the provisions of the Georgia Water Quality Control Act (Georgia Laws 1964, p. 416, as amended), hereinafter called the State Act; the Federal Water Pollution Control Act, as amended (33 U.S. C. 1251 et seq.), hereinafter called the Federal Act; and the Rules and Regulations promulgated pursuant to each of these Acts,

Pilgrim's Pride Corporation
P.O Box 519
Elberton, Georgia 30635

is authorized to discharge from a facility located at

1129 Old Middleton Rd
Elberton, GA 30635
Elbert County

to the sewerage system tributary to the

The City of Elberton (Falling Creek) Water Pollution Control Plant (Savannah River Basin)

in accordance with effluent limitations, monitoring requirements and other conditions set forth in the permit.

This permit is issued in reliance upon the permit application signed on March 24, 2021, and any other applications upon which this permit is based, supporting data entered therein or attached thereto, and any subsequent submittal of supporting data.

This facility is subject to the terms, conditions and requirements of 40 Code of Federal Regulations (CFR) Part 403 and the Georgia Water Quality Control Act Chapter 391-3-6.

This facility is subject to the requirements of 40 CFR 432 Meat and Poultry Products Point Source Category, Pretreatment Standards for Existing Sources (PSES).

This permit shall become effective on January 1, 2022.

This permit and the authorization to discharge shall expire at midnight December 31, 2026.



Richard E. Dunn, Director
Environmental Protection Division

PART I

A. Effluent Limitations and Monitoring Requirements

- During the period specified on the first page of this permit, the permittee is authorized to discharge from outfall no(s.) 001:Treated poultry products processing wastewater, sanitary wastewater, boiler blowdown, and plant and equipment washdown discharges into the City of Elberton, Falling Creek Publicly Owned Treatment Works (POTW).

Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristics (Specify Units)	Discharge Limitations				Monitoring Requirements ¹		
	Mass Based (lbs/day)		Concentration Based (mg/L)		Measurement Frequency	Sample Type	Sample Location
	Daily Avg.	Daily Max.	Daily Avg.	Daily Max.			
Flow (MGD)	0.30	0.375			Daily	Continuous Recording	Final Effluent ²
BOD ₅	626	782	250	250	2/Week	Composite	Final Effluent ²
TSS	626	782	250	250	2/Week	Composite	Final Effluent ²
COD			Report	Report	2/Week	Composite	Final Effluent ²
Ammonia (as N)	35	66	14	21	2/Week	Composite	Final Effluent ²
Oil & Grease			100	100	2/Week	Grab	Final Effluent ²

The pH shall not be less than 5.5 standard units nor greater than 9.5 standard units and shall be monitored daily by grab sample.

The Discharge Limitations outlined above are subject to revision if dictated by Title 40, Code of Federal Regulations Part 403, (40 CFR 403), 40 CFR 432 Subpart L or EPD determinations. The Permittee will be notified in writing of any changes in the above listed discharge limitations

¹ All the parameters must be monitored, at a minimum, at the measurement frequency stated above if there is any discharge. If there is no discharge, state such in the discharge monitoring report for the monitoring period.

² The final effluent for purposes of sampling, monitoring and the application of pretreatment limitations is the final discharge point prior to entry into the sewerage system.

B. Monitoring

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

2. Sampling Period

- a. Unless otherwise specified in this permit, quarterly samples shall be taken during the periods January-March, April-June, July-September, and October-December.
- b. Unless otherwise specified in this permit, semiannual samples shall be taken during the periods January-June and July-December.
- c. Unless otherwise specified in this permit, annual samples shall be taken during the period of January-December.

3. Monitoring Procedures

Analytical methods, sample containers, sample preservation techniques, and sample holding times must be consistent with the techniques and methods listed in 40 CFR Part 136. The analytical method used shall be sufficiently sensitive. EPA-approved methods must be applicable to the concentration ranges of the NPDES permit samples.

4. Detection Limit

All parameters will be analyzed using the appropriate detection limits. If the results for a given sample are such that a parameter is not detected at or above the specified detection limit, a value of "NOT DETECTED" will be reported for that sample and the detection limit will also be reported.

5. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- a. The exact place, date, and time of sampling or measurements, and the person(s) performing the sampling or the measurements;
- b. The dates and times the analyses were performed, and the person(s) performing the analyses;
- c. The analytical techniques or methods used;
- d. The results of all required analyses.

6. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report Form. Such increased monitoring frequency shall also be indicated. EPD may require, by written notification, more frequent monitoring or the monitoring of other pollutants not required in this permit.

7. Records Retention

The permittee shall retain records of all monitoring information, including all records of analyses performed, calibration and maintenance of instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a minimum of three (3) years from the date of the sample, measurement, report or application, or longer if requested by EPD.

8. Penalties

The Federal Clean Water Act and the Georgia Water Quality Control Act provide that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit, makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine or by imprisonment, or by both. The Federal Clean Water Act and the Georgia Water Quality Control Act also provide procedures for imposing civil penalties which may be levied for violations of the Act, any permit condition or limitation established pursuant to the Act, or negligently or intentionally failing or refusing to comply with any final or emergency order of the Director of EPD.

C. Definitions

1. A "bypass" means the intentional diversion of waste streams from any portion of a treatment facility.
2. A "calendar day" is defined as any consecutive 24-hour period.
3. A "composite" sample shall consist of samples collected at intervals not less frequently than every two hours for a period of 24 hours or for the actual time the pretreatment facility is discharging (if less than 24 hours), and composited according to flow.
4. The "daily average" mass means the total discharge by mass during a calendar month divided by the number of days in the month that the production or commercial facility was operating. Where less than daily sampling is required by this permit, the daily average discharge shall be determined by the summation of all the measured daily discharges by weight divided by the number of days sampled during the calendar month when the measurements were made.
5. The "daily maximum" mass means the total discharge by mass during any calendar day.
6. The "daily average" concentration means the arithmetic average of all the daily determinations of concentrations made during a calendar month. Daily determinations of concentration made using a composite sample shall be the concentration of the composite sample.
7. The "daily maximum" concentration means the daily determination of concentration for any calendar day.
8. The "daily maximum flow" is the largest total volume determined for any 24 hour period.
9. "EPD" as used herein means the Environmental Protection Division of the Department of Natural Resources.
10. A "POTW" as used herein means Publicly-Owned Treatment Works.
11. The "Rules" as used herein means the Georgia Rules and Regulations for Water Quality Control.
12. "Severe property damage" means substantial physical damage to property, damage to treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
13. The "State Act" as used herein means the Georgia Water Quality Control Act (Official Code of Georgia Annotated; Title 12, Chapter 5, Article 2).

D. Reporting Requirements

1. The permittee must electronically report the DMR, OMR and additional monitoring data using the web based electronic NetDMR reporting system, unless a waiver is granted by EPD.
 - a. The permittee must comply with the Federal National Pollutant Discharge Elimination System Electronic Reporting regulations in 40 CFR §127. The permittee must electronically report the DMR, OMR, and additional monitoring data using the web based electronic NetDMR reporting system online at: <https://netdmr.epa.gov/netdmr/public/home.htm>
 - b. Monitoring results obtained during the calendar month shall be summarized for each month and reported on the DMR. The results of each sampling event shall be reported on the OMR and submitted as an attachment to the DMR.
 - c. The permittee shall submit the DMR, OMR and additional monitoring data no later than 11:59 p.m. on the 15th day of the month following the sampling period.
 - d. All other reports required herein, unless otherwise stated, shall be submitted to the EPD Office listed on the permit issuance letter signed by the Director of EPD.
2. **No later than December 21, 2025,** the permittee must electronically report the following compliance monitoring data and reports using the online web based electronic system approved by EPD, unless a waiver is granted by EPD:
 - a. Sewage Sludge/Biosolids Annual Program Reports provided that the permittee has an approved Sewage Sludge (Biosolids) Plan in this permit;
 - b. Noncompliance Notification;
 - c. Other noncompliance; and
 - d. Bypass

3. Other Reports

All other reports required in this permit not listed above in Part I.D.2 or unless otherwise stated, shall be submitted to the EPD Office listed on the permit issuance letter signed by the Director of EPD.

4. Other Noncompliance

All instances of noncompliance not reported under Part I.B. and Part II. A. shall be reported to EPD at the time the monitoring report is submitted.

5. Signatory Requirements

All reports, certifications, data or information submitted in compliance with this permit or requested by EPD must be signed and certified as follows:

- a. Any State or NPDES Permit Application form submitted to the EPD shall be signed as follows in accordance with the Federal Regulations, 40 C.F.R. 122.22:
 1. For a corporation, by a responsible corporate officer. A responsible corporate officer means:
 - i a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision making functions for the corporation, or
 - ii. the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 2. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or
 3. For a municipality, State, Federal, or other public facility, by either a principal executive officer or ranking elected official.
- b. All other reports or requests for information required by the permit issuing authority shall be signed by a person designated in (a) above or a duly authorized representative of such person, if:
 1. The representative so authorized is responsible for the overall operation of the facility from which the discharge originates, e.g., a plant manager, superintendent or person of equivalent responsibility;
 2. The authorization is made in writing by the person designated under (a) above; and
 3. The written authorization is submitted to the Director.

- c. Any changes in written authorization submitted to the permitting authority under (b) above which occur after the issuance of a permit shall be reported to the permitting authority by submitting a copy of a new written authorization which meets the requirements of (b) and (b.1) and (b.2) above.
- d. Any person signing any document under (a) or (b) above shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

PART II

A. Management Requirements

1. Notification of Changes

- a. The permittee shall provide EPD at least 90 days advance notice of any planned physical alterations or additions to the permitted facility that meet the following criteria:
 1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b);
 2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR 122.42(a)(1); or
 3. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
- b. The permittee shall give at least 90 days advance notice to EPD of any planned changes to the permitted facility or activity which may result in noncompliance with permit requirements.
- c. Following the notice in paragraph a. or b. of this condition the permit may be modified. The permittee shall not make any changes, or conduct any activities, requiring notification in paragraph a. or b. of this condition without approval from EPD.
- d. The permittee shall provide at least 30 days advance notice to EPD of:
 1. any planned expansion or increase in production capacity; or
 2. any planned installation of new equipment or modification of existing processes that could increase the quantity of pollutants discharged or result in the discharge of pollutants that were not being discharged prior to the planned change

if such change was not identified in the permit application(s) upon which this permit is based and for which notice was not submitted under paragraphs a. or b. of this condition.

- e. All existing manufacturing, commercial, mining, and silvicultural dischargers shall notify EPD as soon as it is known or there is reason to believe that any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant not limited in the permit, if that discharge will exceed (i) 100 µg/L, (ii) five times the maximum concentration reported for that pollutant in the permit application, or (iii) 200 µg/L for acrolein and acrylonitrile, 500 µg/L for 2,4 dinitrophenol and for 2-methyl-4-6-dinitrophenol, or 1 mg/L antimony.
- f. All existing manufacturing, commercial, mining, and silvicultural dischargers shall notify EPD as soon as it is known or there is reason to believe that any activity has occurred or will occur which would result in any discharge on a nonroutine or infrequent basis, of any toxic pollutant not limited in the permit, if that discharge will exceed (i) 500 µg/L, (ii) ten times the maximum concentration reported for that pollutant in the permit application, or (iii) 1 mg/L antimony.
- g. Upon the effective date of this permit, the permittee shall submit to EPD an annual certification in June of each year certifying whether or not there has been any change in processes or wastewater characteristics as described in the submitted NPDES permit application that required notification in paragraph a., b., or d. of this condition. The permittee shall also certify annually in June whether the facility has received offsite wastes or wastewater and detail any such occurrences.

2. Noncompliance Notification

If, for any reason, the permittee does not comply with, or will be unable to comply with any effluent limitation specified in this permit, the permittee shall provide EPD and the owner of the receiving POTW with an oral report within 24 hours from the time the permittee becomes aware of the circumstances followed by a written report within five (5) days of becoming aware of such condition. The written submission shall contain the following information:

- a. A description of the discharge and cause of noncompliance; and
- b. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncomplying discharge.

3. Facility Operation

The permittee shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

4. Adverse Impact

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

5. Bypassing

- a. Any diversion from or bypass of pretreatment facilities covered by this permit is prohibited, except where unavoidable to prevent personal injury, loss of life, or severe property damage. The permittee shall operate the pretreatment works to minimize discharge of the pollutants listed in this permit from overflows or bypasses. The permittee shall monitor all overflows, bypasses, or spills. EPD and the owner of the receiving POTW shall be notified, in advance if possible, of any overflows, bypasses or spills. A record of each overflow bypass and spill shall be kept with information on the location, cause, duration, a peak flow rate. Upon written notification by EPD, the permittee may be required to submit a plan and schedule for reducing overflows, bypasses or spills.
- b. If the permittee knows in advance of the need for a bypass, it shall submit prior notice to EPD and the owner of the receiving POTW at least 10 days (if possible) before the date of the bypass. The permittee shall submit notice of any unanticipated bypass with an oral report within 24 hours from the time the permittee becomes aware of the circumstances followed by a written report within five (5) days of becoming aware of such condition. The written submission shall contain the following information:
 1. A description of the discharge and cause of noncompliance; and
 2. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

6. Sludge Disposal Requirements

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering waters of the State or creating an adverse impact on the environment. Handling and disposal of such substances shall be in accordance with all applicable State and Federal regulations. Records must be maintained of the quantity (volume and concentration or mass) of such substances; the method of disposal; the location or site; and the date and time of disposal.

Sludge shall be disposed of in accordance with the regulations and guidelines established by EPD, the Federal Clean Water Act, and the Resource Conservation and Recovery Act (RCRA). Prior to disposal of sludge by any method other than co-disposal in a permitted sanitary landfill, the permittee shall submit a sludge management plan to EPD for written

approval. For land application of nonhazardous sludge, the permittee shall comply with the applicable criteria outlined in the most current version of EPD's "Guidelines for Land Application of Sewage Sludge (Biosolids) at Agronomic Rates" and with the State Rules, Chapter 391-3-6-.17. EPD may require more stringent control of this activity. Prior to land applying nonhazardous sludge, the permittee shall submit a sludge management plan to EPD for review and approval. Upon approval, the plan for land application will become a part of the NPDES permit upon modification of the permit.

7. Sludge Monitoring Requirements

The permittee shall develop and implement procedures to ensure adequate year-round sludge disposal. The permittee shall monitor the volume and concentration of solids removed from the plant. Records shall be maintained which document the quantity of solids removed from the plant. The ultimate disposal of solids shall be reported (in the unit of lbs) to EPD as specified in Part I.D of this permit.

8. Power Failures

Upon the reduction, loss, or failure of the primary source of power to said water pollution control facilities, the permittee shall use an alternative source of power if available to reduce or otherwise control production and/or all discharges in order to maintain compliance with the effluent limitations and prohibitions of this permit.

If such alternative power source is not in existence, and no date for its implementation appears in Part I, the permittee shall halt, reduce or otherwise control production and/or all discharges from wastewater control facilities upon the reduction, loss, or failure of the primary source of power to said wastewater control facilities.

9. Operator Certification Requirements

The permittee shall, when required, have a certified operator in charge of the facility in accordance with Georgia State Board of Examiners for Certification of Water and Wastewater Treatment Plant operators And Laboratory Analysts Rule 43-51-6.(b).

10. Laboratory Analyst Certification Requirements

The permittee shall ensure that, when required, the person in responsible charge of the laboratory performing the analyses for determining permit compliance is certified in accordance with the Georgia Certification of Water and Wastewater Treatment Plant operators and Laboratory Analysts Act, as amended, and the Rules promulgated thereunder.

B. Responsibilities

1. Right of Entry

The permittee shall allow the Director of EPD, the Regional Administrator of EPA, and/or their authorized representatives, agents, or employees, upon the presentation of credentials:

- a. To enter upon the permittee's premises where a discharge source is located or in which any records are required to be kept under the terms and conditions of this permit; and
- b. At reasonable times, to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and to sample any substance or parameters in any location.

2. Transfer of Ownership or Control

A permit may be transferred to another person by a permittee if:

- a. The permittee notifies the Director of EPD and the owner of the receiving POTW in writing of the proposed transfer at least thirty (30) days in advance of the proposed transfer;
- b. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgement that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on) is submitted to the Director at least thirty (30) days in advance of the proposed transfer; and
- c. The Director, within thirty (30) days, does not notify the current permittee and the new permittee of EPD's intent to modify, revoke and reissue, or terminate the permit and to require that a new application be filed rather than agreeing to the transfer of the permit.

3. Availability of Reports

Except for data deemed to be confidential under O.C.G.A. § 12-5-26 or by the Regional Administrator of the EPA under the Code of Federal Regulations, Title 40, Part 2, all reports prepared in accordance with the terms of this permit shall be available for public inspection at an office of EPD. Effluent data, permit applications, permittee's names and addresses, and permits shall not be considered confidential.

4. Permit Modification

After written notice and opportunity for a hearing, this permit may be modified, suspended, revoked or reissued in whole or in part during its term for cause including, but not limited to, the following:

- a. Violation of any conditions of this permit;
- b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts;
- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge; or
- d. To comply with any applicable effluent limitation issued pursuant to the order of the United States District Court for the District of Columbia issued on June 8, 1976, in Natural Resources Defense Council, Inc. et.al. v. Russell E. Train, 8 ERC 2120(D.D.C. 1976), if the effluent limitation so issued:
 1. is different in conditions or more stringent than any effluent limitation in the permit; or
 2. controls any pollutant not limited in the permit.

5. Toxic Pollutants

Notwithstanding Part II B.8 below, if a toxic discharge standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Federal Act for a toxic pollutant which is present in the discharge, and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be revised or modified in accordance with the toxic discharge standard or prohibition and the permittee so notified.

6. Civil and Criminal Liability

Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

7. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Federal Clean Water Act.

8. Local Ordinances

Nothing in this permit shall be construed to relieve the permittee from the responsibility of compliance with any local ordinance whose requirements are more stringent than those contained in this permit.

9. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

10. Expiration of Permit

The permittee shall not discharge after the expiration date. In order to receive authorization to discharge beyond the expiration date, the permittee shall submit such information, forms, and fees as are required by EPD at least 180 days prior to the expiration date.

11. Contested Hearings

Any person who is aggrieved or adversely affected by an action of the Director of EPD shall petition the Director for a hearing within thirty (30) days of notice of such action.

12. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

13. Best Management Practices

The permittee will implement best management practices to control the discharge of hazardous and/or toxic materials from ancillary manufacturing activities. Such activities include, but are not limited to, materials storage, in-plant transfer, process and material handling, loading and unloading operations, plant site runoff, and sludge and waste disposal.

14. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

15. Duty to Provide Information

- a. The permittee shall furnish to the EPD Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish upon request copies of records required to be kept by this permit.
- b. When the permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or any report to the Director, it shall promptly submit such facts and information.

16. Duty to Comply

- a. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Georgia Water Quality Control Act (O.C.G.A. § 12-5-20 et. seq.) and is grounds for enforcement action; for permit termination; revocation and reissuance, or modification; or for denial of a permit renewal application. Any instances of noncompliance must be reported to EPD as specified in Part I.D and Part II.A of this permit.
- b. Penalties for violations of permit conditions. The Federal Clean Water Act and the Georgia Water Quality Control Act (O.C.G.A. § 12-5-20 et. seq.) provide that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this permit, makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction be punished by a fine or by imprisonment, or by both. The Georgia Water Quality Control Act (Act) also provides procedures for imposing civil penalties which may be levied for violations of the Act, any permit condition or limitation established pursuant to the Act, or negligently or intentionally failing or refusing to comply with any final or emergency order of the Director.

17. Upset Provisions

Provisions of 40 CFR 122.41(n)(1)-(4), regarding "Upset" shall be applicable to any civil, criminal, or administrative proceeding brought to enforce this permit.

PART III

A. Previous Permits

1. All previous State waste water permits issued to this facility, whether for construction or operation, are hereby revoked by the issuance of this permit. This action is taken to assure compliance with the Georgia Water Quality Control Act, as amended, and the Federal Clean Water Act, as amended. Receipt of the permit constitutes notice of such action. The conditions, requirements, terms and provisions of this permit authorizing discharge under the National Pollutant Discharge Elimination System govern discharges from this facility.

B. Schedule of Compliance

1. The permittee shall achieve compliance with the effluent limitations specified for discharges in accordance with the following schedule: N/A
2. No later than 14 calendar days following a date identified in the above schedule of compliance, the permittee shall submit either a report of progress or, in the case of specific actions being required by identified dates, a written notice of compliance or noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

C. Special Conditions

1. The permittee shall not discharge substances in amounts, concentrations or combinations thereof which:
 - a. interfere with the operation of the City of Elberton Falling Creek POTW;
 - b. cause pass-through of pollutants in violation of the effluent limitations specified in National Pollutant Discharge Elimination System Permit No. GA0025682;
 - c. cause municipal sludge contamination; or
 - d. cause pass-through of pollutants that result in toxicity in aquatic life in the receiving stream.
2. Slug Discharges
 - a. Slug discharge shall be defined as any discharge of a non-routine, episodic nature including, but not limited to an accidental spill or a non-customary batch discharge.
 - b. The permittee shall notify the EPD and the owner of the receiving POTW immediately of any discharge or discharges including slug discharges that could result in operational problems at the POTW.
 - c. Upon notification from the EPD, the permittee shall develop and implement a plan to control slug discharges in accordance with the requirements of 40 CFR Part 403.8.

3. If sampling performed by the permittee indicates a violation, the permittee shall immediately notify the EPD Compliance Office within twenty-four (24) hours of becoming aware of the violation. For continuous dischargers, the permittee shall also immediately, within 24 hours, repeat the sampling and analysis of all of the constituents that may have contributed to the violation. For intermittent dischargers, repeat sampling and analysis should be conducted on the subsequent discharge. The sampling results shall be submitted to the EPD Compliance Office within 30 days after becoming aware of the violation.



The Georgia Environmental Protection Division proposes to issue a Pretreatment permit to the applicant identified below. The draft permit places conditions on the discharge of pollutants from the wastewater treatment plant to waters of the State.

Technical Contact: Shante Bailey (Shante.Bailey@dnr.ga.gov)
470-524-5789

Draft permit:

<input type="checkbox"/>	first issuance
<input type="checkbox"/>	reissuance with no or minor modifications from previous permit
<input checked="" type="checkbox"/>	reissuance with substantial modifications from previous permit
<input type="checkbox"/>	modification of existing permit

1.0 FACILITY INFORMATION

1.1 Pretreatment Permit No.: GAP050073

1.2 Name and Address of Owner/Applicant

Pilgrim's Pride Corporation
P.O. Box 519
Elberton, Georgia, 30635
Elbert County

1.3 Name and Address of Facility

Pilgrim's Pride Corporation
1129 Old Middleton road
Elberton, Georgia, 30635
Elbert County

1.4 Facility Information

- | | |
|------------------------------|---|
| a. Average Flow: 300,000 GPD | d. Max Flow: 375,000 GPD |
| b. Categorical (Y/N): Y | e. Significant Industrial User (Y/N): Y |
| c. Production Based (Y/N): N | f. Production Capacity: N/A |

1.5 SIC Code & Description: 2015 – Poultry Slaughtering and Processing

1.6 Description of Industrial Processes

Pilgrim's Pride Corporation is a poultry further processing plant which receives raw poultry meat products via truck for further processing into various finished chicken meat products. Further processing operations include receiving, seasoning, cooking, portioning, chilling, and packaging of the various chicken meat products. These further processed chicken meat products are shipped from the facility to end users (supermarkets, fast food stores, institutional customers, distributors, etc.). This facility does not have any live animal handling activities/operations.

1.7 Description of the Industrial Wastewater Treatment Facility

Pilgrim's Pride Corporation wastewater treatment facility consists of screening, flow equalization, chemical precipitation, biological treatment, air flotation and neutralization. Sludge and biosolids are sent to off-site treatment facilities.

1.8 Type of Wastewater Discharge

- ☒ process wastewater ☐ stormwater
☒ domestic wastewater ☐ combined (describe)
☒ other (boiler blowdown, plant and equipment washdown)

1.9 Name and Address of Receiving POTW

City of Elberton Water Pollution Control Plant
1158 Jack McVeigh Dr
Elberton, Georgia, 30635
Elbert County

1.10 Location and Description of the discharge (as reported by applicant)

Outfall #	Receiving POTW	Receiving POTW Permit No.	Max Receiving POTW Permitted Flow	River Basin
001	Elberton Falling Creek WPCP	GA0025682	0.9 MGD	Savannah

1.11 Receiving POTW Design Capacity: 0.9 MGD**1.12 Description of the POTW Wastewater Treatment**

The treatment process of the City of Elberton consists of screening, equalization basin, biological treatment (activated sludge), secondary clarification, chlorination, and dechlorination. Treated effluent is then discharged to Falling Creek.

FACT SHEET

Sludge is held in aerobically digested, dewatered, and transported to a landfill (R&B Landfill, Homer, GA).

1.13 Characterization of Effluent Discharge as Reported by Applicant

The table below indicates all pollutants of concern believed present in the facility's wastewater effluent.

Outfall No. 001 – Final Effluent: Consists of boiler blowdown, domestic wastewater, process wastewater, and plant and equipment wash down water.

Effluent Characteristics (as Reported by Applicant)	Maximum Daily Value	Average Daily Value
Flow (MGD)	0.375	0.3
BOD ₅ (mg/L)	395	58
COD (mg/L)	1120	238
TSS (mg/L)	704	32
Oil & Grease (mg/L)	16	5
Phosphorus (mg/L)	26.4	5.7
Ammonia (mg/L)	40.9	3.7
TKN (mg/L)	40.9	3.7
Zinc (mg/L)	0.185	0.17
Fecal Coliform (#col/100mL)	2	2
Sulfate (mg/L)	39.6	38.75
Iron (mg/L)	Not provided	0.138

2.0 APPLICABLE REGULATIONS

2.1 Local Regulations

City of Elberton Falling Creek Code of Ordinances Sec. 38-110. (Sewer Use Ordinance)
See Appendix A for Sewer Use Ordinance

2.2 State Regulations

Chapter 391-3-6 of the Georgia Rules and Regulations for Water Quality Control

2.3 Federal Regulations

Source	Activity	Applicable Regulation
Industrial	Pretreatment	40 CFR 403
	Process Water Discharges	40 CFR 122
		40 CFR 125
		40 CFR 432

2.4 Industrial Effluent Limit Guideline(s)

Code of Federal Regulations, 40 CFR Part 403.

Code of Federal Regulations, 40 CFR Part 432 Subpart L

See Appendix B For Applicable Federal Regulations

3.0 EFFLUENT LIMITS AND PERMIT CONDITIONS

3.1 Permit Development

“The national pretreatment program objectives are achieved by applying and enforcing three types of pretreatment standards:”

- General and specific prohibitions
- Categorical pretreatment standards
- Local limits

“All three types of standards can be enforced by EPA, the state, and local government, even though they are developed at different levels of government (i.e., federal, state, and local). Pretreatment standards and requirements can be expressed as numeric limits, narrative prohibitions, and best management practices.”

“The control authority is responsible for identifying standard(s) applicable to each IU and applying the most stringent requirements where multiple provisions exist.” EPA Guidance - *Applicability of Pretreatment Standards and Requirements* (<https://www.epa.gov/npdes/pretreatment-standards-and-requirements>)

“Local limits are developed for pollutants (e.g. metals, cyanide, BOD5 , TSS, oil and grease, organics) that may cause interference, pass through, sludge contamination, and/or worker health and safety problems if discharged in excess of the receiving POTW treatment plant’s capabilities and/or receiving water quality standards.” EPA Guidance Document – *Introduction to the National Pretreatment Program, February 1999*

FACT SHEET

Local limit considerations can be broken down into several categories consisting of: sewer use ordinances, state level local limits, POTW NPDES limits, water quality standards, and POTW inhibition.

3.2 Conventional Pollutants

Pollutants of Concern	Basis
pH	<u>Local Limit</u> The City of Elberton Falling Creek Sewer Use Ordinance establishes an allowable range of 5.5-9.5 s.u. tested via a grab sample.
	The pH range of 5.5 s.u. - 9.5 s.u. has been retained from the previous pretreatment permit.
	<u>Categorical Limit</u> There is no applicable federally based categorical limit.
5-Day Biochemical Oxygen Demand	<u>Local Limit</u> The City of Elberton Falling Creek Sewer Use Ordinance establishes a daily maximum of 750 mg/L tested via a grab sample.
	The limit of 250 mg/L daily maximum and 250 mg/L daily average has been retained from the previous permit.
	<u>Categorical Limit</u> There is no applicable federally based categorical limit.
Total Suspended Solids	<u>Local Limit</u> The City of Elberton Falling Creek Sewer Use Ordinance establishes a daily maximum of 750 mg/L tested via a grab sample.
	The limit of 250 mg/L daily maximum and 250 mg/L daily average has been retained from the previous permit.
	<u>Categorical Limit</u> There is no applicable federally based categorical limit.

FACT SHEET

Oil and Grease	<u>Local Limit</u> The City of Elberton Falling Creek Sewer Use Ordinance establishes a daily maximum of 100 mg/L tested via a grab sample.
	The limit of 100 mg/L daily maximum and 100 mg/L daily average has been retained from the previous permit.
	<u>Categorical Limit</u> There is no applicable federally based categorical limit.
Chemical Oxygen Demand	<u>Local Limit</u> The City of Elberton Falling Creek Sewer Use Ordinance states that no user may contribute to oxygen demanding substances at a level that causes POTW inhibition. A monitoring only requirement for COD has been retained in this permit.
	<u>Categorical Limit</u> There is no applicable federally based categorical limit.

3.3 Nonconventional Pollutants

Pollutants of Concern	Basis
Ammonia	<u>Local Limit</u> The City of Elberton Falling Creek Sewer Use Ordinance establishes a daily maximum of 50 mg/L tested via a grab sample.
	The more stringent limit of 21 mg/L daily maximum and 14 mg/L daily average has been retained from the previous permit.
	<u>Categorical Limit</u> There is no applicable federally based categorical limit.

3.4 Toxics & Manmade Organic Compounds (126 priority pollutants and metals)

Pollutants of Concern	Basis
Zinc	<u>Local Limit</u> The Local Limits evaluation indicated that a Zinc effluent limit of 0.46 mg/L would be protective of the POTW. Based on the maximum sample value provided in the application for Zinc, it was determined that is not considered a pollutant of concern and a limit has not been included in this permit.

FACT SHEET

Categorical Limit

There is no applicable federally based categorical limit.

3.5 Comparison and Summary of Limits

The highlighted limits shown below indicate the most stringent allowable limits for the permit based on all pretreatment standards.

Pollutant	Categorical ¹	SUO	Sludge Regulations ²	POTW NPDES - Based Limit	WQS ³ (acute & chronic)	POTW ⁴ Inhibition	Previous Permit
BOD ₅	N/A	750 mg/L	N/A	1724.7 mg/L	N/A	N/A	250 mg/L
COD	N/A	N/A	N/A	N/A	N/A	Narrative	N/A
TSS	N/A	750 mg/L	N/A	1763.57 mg/L	Narrative	N/A	250 mg/L
Oil & Grease	N/A	100 mg/L	N/A	N/A	Narrative	N/A	100 mg/L
Ammonia	N/A	50 mg/L	N/A	171.8 mg/L	Strategy for Addressing Ammonia	9215 mg/L	14/21 mg/L
Zinc	N/A	3 mg/L	N/A	N/A	752.73 mg/L	0.46 mg/L	N/A
pH	N/A	5.5-9.5 s.u.	N/A	N/A	N/A	N/A	5.5-9.5 s.u.

¹ The Federal Categorical Effluent Guideline does not have numeric limits established.

² The City of Elberton hauls its sludge to a landfill, hence sludge criteria doesn't apply.

³ There are no numerical water quality standards for the pollutants marked as N/A.

⁴ The POTW doesn't have activated sludge or nitrification inhibition if marked as N/A.

3.6 Example Limit Calculations

An example calculation for each standard that required consideration has been included below. Complete results can be found in Appendix C – Effluent Limit Calculations.

3.6.c. NPDES Permit Limit Calculations

$$TSS\ AHL\left(\frac{lbs}{day}\right) = \frac{8.34 \times NPDES\ Limit\left(\frac{mg}{L}\right) \times POTW\ Flow(MGD)}{1 - \frac{POTW\ Removal\ Efficiency(\%)}{100}}$$

$$TSS\ AHL\left(\frac{lbs}{day}\right) = \frac{8.34 \times 45\left(\frac{mg}{L}\right) \times 0.9(MGD)}{1 - \frac{95.76\%}{100}}$$

$$TSS\ AHL\left(\frac{lbs}{day}\right) = 7966.27$$

$$TSS\ Load\left(\frac{lbs}{day}\right) = AHL\left(\frac{lbs}{day}\right) \times \left(1 - \frac{Safety\ Factor(\%)}{100}\right) - Dom.\ |Com.\ Load\left(\frac{lbs}{day}\right)$$

$$TSS\ Load\left(\frac{lbs}{day}\right) = 7966.27\left(\frac{lbs}{day}\right) \times \left(1 - \frac{20\%}{100}\right) - 857.44\left(\frac{lbs}{day}\right)$$

$$TSS\ Load\left(\frac{lbs}{day}\right) = 5515.58$$

$$TSS\ Local\ Limit\left(\frac{mg}{L}\right) = \frac{Allowable\ Loading\left(\frac{lbs}{day}\right)}{8.34 \times IU\ Pollutant\ Flow(MGD)}$$

$$TSS\ Local\ Limit\left(\frac{mg}{L}\right) = \frac{5515.58\left(\frac{lbs}{day}\right)}{8.34 \times 0.375(MGD)}$$

$$TSS\ Local\ Limit\left(\frac{mg}{L}\right) = 1763.57$$

3.6.d. Acute Water Quality Standard Calculations

$$Zinc\ AHL\left(\frac{lbs}{day}\right) = \frac{8.34 \times Acute\ WQS\left(\frac{mg}{L}\right) \times (POTW\ Flow(MGD) + 1Q10(MGD))}{1 - \frac{POTW\ Removal\ Efficiency(\%)}{100}}$$

$$\text{Zinc AHL} \left(\frac{\text{lbs}}{\text{day}} \right) = \frac{8.34 \times 0.12182 \left(\frac{\text{mg}}{\text{L}} \right) \times 540.9(\text{MGD})}{1 - \frac{79\%}{100}}$$

$$\text{Zinc AHL} \left(\frac{\text{lbs}}{\text{day}} \right) = 2616.87$$

$$\text{Zinc Load} \left(\frac{\text{lbs}}{\text{day}} \right) = \text{AHL} \left(\frac{\text{lbs}}{\text{day}} \right) \times \left(1 - \frac{\text{Safety Factor}(\%)}{100} \right) - \text{Dom. | Com. Load} \left(\frac{\text{lbs}}{\text{day}} \right)$$

$$\text{Zinc Load} \left(\frac{\text{lbs}}{\text{day}} \right) = 2616.87 \left(\frac{\text{lbs}}{\text{day}} \right) \times \left(1 - \frac{10\%}{100} \right) - 1.0114 \left(\frac{\text{lbs}}{\text{day}} \right)$$

$$\text{Zinc Load} \left(\frac{\text{lbs}}{\text{day}} \right) = 2354.17$$

$$\text{Zinc Local Limit} \left(\frac{\text{mg}}{\text{L}} \right) = \frac{\text{Allowable Loading} \left(\frac{\text{lbs}}{\text{day}} \right)}{8.34 \times \text{IU Pollutant Flow}(\text{MGD})}$$

$$\text{Zinc Local Limit} \left(\frac{\text{mg}}{\text{L}} \right) = \frac{2354.17 \left(\frac{\text{lbs}}{\text{day}} \right)}{8.34 \times 0.375(\text{MGD})}$$

$$\text{Zinc Local Limit} \left(\frac{\text{mg}}{\text{L}} \right) = 752.73 \text{ (Not Most Stringent Value)}$$

3.6.e. Chronic Water Quality Standard Calculations

$$\text{Zinc AHL} \left(\frac{\text{lbs}}{\text{day}} \right) = \frac{8.34 \times \text{Chronic WQS} \left(\frac{\text{mg}}{\text{L}} \right) \times (\text{POTW Flow}(\text{MGD}) + 7\text{Q10}(\text{MGD}))}{1 - \frac{\text{POTW Removal Efficiency}(\%)}{100}}$$

$$\text{Zinc AHL} \left(\frac{\text{lbs}}{\text{day}} \right) = \frac{8.34 \times 0.12282 \left(\frac{\text{mg}}{\text{L}} \right) \times 540.9(\text{MGD})}{1 - \frac{79\%}{100}}$$

$$\text{Zinc AHL} \left(\frac{\text{lbs}}{\text{day}} \right) = 2638.35$$

$$\text{Zinc Load} \left(\frac{\text{lbs}}{\text{day}} \right) = \text{AHL} \left(\frac{\text{lbs}}{\text{day}} \right) \times \left(1 - \frac{\text{Safety Factor}(\%)}{100} \right) - \text{Dom. | Com. Load} \left(\frac{\text{lbs}}{\text{day}} \right)$$

$$\text{Zinc Load} \left(\frac{\text{lbs}}{\text{day}} \right) = 2638.35 \left(\frac{\text{lbs}}{\text{day}} \right) \times \left(1 - \frac{10\%}{100} \right) - 1.0114 \left(\frac{\text{lbs}}{\text{day}} \right)$$

$$\text{Zinc Load} \left(\frac{\text{lbs}}{\text{day}} \right) = 2373.51$$

$$\text{Zinc Local Limit} \left(\frac{\text{mg}}{\text{L}} \right) = \frac{\text{Allowable Loading} \left(\frac{\text{lbs}}{\text{day}} \right)}{8.34 \times \text{IU Pollutant Flow(MGD)}}$$

$$\text{Zinc Local Limit} \left(\frac{\text{mg}}{\text{L}} \right) = \frac{2373.51 \left(\frac{\text{lbs}}{\text{day}} \right)}{8.34 \times 0.375(\text{MGD})}$$

$$\text{Daily Zinc Local Limit} \left(\frac{\text{mg}}{\text{L}} \right) = 758.92 \text{ (Not Most Stringent Value)}$$

3.6.f. POTW Inhibition Calculations

$$\text{Ammonia AHL} \left(\frac{\text{lbs}}{\text{day}} \right) = \frac{8.34 \times \text{Inhibition Level} \left(\frac{\text{mg}}{\text{L}} \right) \times \text{POTW Flow(MGD)}}{1 - \frac{\text{POTW Removal Efficiency}(\%)}{100}}$$

$$\text{Ammonia AHL} \left(\frac{\text{lbs}}{\text{day}} \right) = \frac{8.34 \times 480 \left(\frac{\text{mg}}{\text{L}} \right) \times 0.9(\text{MGD})}{1 - \frac{90\%}{100}}$$

$$\text{Ammonia AHL} \left(\frac{\text{lbs}}{\text{day}} \right) = 36028.8$$

$$\text{Ammonia} \left(\frac{\text{lbs}}{\text{day}} \right) = \text{AHL} \left(\frac{\text{lbs}}{\text{day}} \right) \times \left(1 - \frac{\text{Safety Factor}(\%)}{100} \right) - \text{Dom. | Com. Load} \left(\frac{\text{lbs}}{\text{day}} \right)$$

$$\text{Ammonia Load} \left(\frac{\text{lbs}}{\text{day}} \right) = 36028.8 \left(\frac{\text{lbs}}{\text{day}} \right) \times \left(1 - \frac{20\%}{100} \right) - 3.065 \left(\frac{\text{lbs}}{\text{day}} \right)$$

$$\text{Ammonia Load} \left(\frac{\text{lbs}}{\text{day}} \right) = 28819.97$$

$$\text{Ammonia Local Limit} \left(\frac{\text{mg}}{\text{L}} \right) = \frac{\text{Allowable Loading} \left(\frac{\text{lbs}}{\text{day}} \right)}{8.34 \times \text{IU Pollutant Flow(MGD)}}$$

$$\text{Ammonia Local Limit} \left(\frac{\text{mg}}{\text{L}} \right) = \frac{28819.97 \left(\frac{\text{lbs}}{\text{day}} \right)}{8.34 \times 0.375(\text{MGD})}$$

$$\text{Ammonia Local Limit} \left(\frac{\text{mg}}{\text{L}} \right) = 9215.02 \text{ (Not Most Stringent Value)}$$

4.0 OTHER PERMIT REQUIREMENTS AND CONSIDERATIONS

4.1 *Anti-Backsliding*

The limits in this permit are in compliance with the 40 C.F.R. 122.44(l), which requires a reissued permit to be as stringent as the previous permit.

5.0 REPORTING

The facility has been assigned to the following EPD office for reporting, compliance and enforcement.

Georgia Environmental Protection Division
Watershed Compliance Program
2 Martin Luther King Jr. Drive
Suite 1152 East
Atlanta, Georgia 30334

5.1 E-Reporting

The permittee is required to electronically submit documents in accordance with 40 CFR Part 127.

6.0 REQUESTED VARIANCES OR ALTERNATIVES TO REQUIRED STANDARDS

Not applicable

7.0 PERMIT EXPIRATION

The permit will expire five years from the effective date.

8.0 PROCEDURES FOR THE FORMULATION OF FINAL DETERMINATIONS

8.1 Comment Period

The Georgia Environmental Protection Division (EPD) proposes to issue a permit to this applicant subject to the effluent limitations and special conditions outlined above. These determinations are tentative.

Georgia Environmental Protection Division
Wastewater Regulatory Program
2 Martin Luther King Jr. Drive
Suite 1152 East
Atlanta, Georgia 30334

The permit application, draft permit, and other information are available for review at 2 Martin Luther King Jr. Drive, Suite 1152 East, Atlanta, Georgia 30334, between the hours

of 8:00 a.m. and 4:30 p.m., Monday through Friday. For additional information, you can contact 404-463-1511.

It is also accessible through the publicly available Georgia EPD Online System (GEOS) at: <https://geos.epd.georgia.gov/GA/GEOS/Public/GovEnt/Shared/Pages/Main/Login.aspx> by searching for Submittal No: **557647**

8.2 Public Comments

Persons wishing to comment upon or object to the proposed determinations are invited to submit same in writing to the EPD address above, or via e-mail at EPDcomments@dnr.ga.gov within 30 days of the initiation of the public comment period. All comments received prior to that date will be considered in the formulation of final determinations regarding the application. The permit number should be placed on the top of the first page of comments to ensure that your comments will be forwarded to the appropriate staff.

8.3 Public Hearing

Any applicant, affected state or interstate agency, the Regional Administrator of the U.S. Environmental Protection Agency (EPA) or any other interested agency, person or group of persons may request a public hearing with respect to an NPDES permit application if such request is filed within thirty (30) days following the date of the public notice for such application. Such request must indicate the interest of the party filing the request, the reasons why a hearing is requested, and those specific portions of the application or other NPDES form or information to be considered at the public hearing.

The Director shall hold a hearing if he determines that there is sufficient public interest in holding such a hearing. If a public hearing is held, notice of same shall be provided at least thirty (30) days in advance of the hearing date.

In the event that a public hearing is held, both oral and written comments will be accepted; however, for the accuracy of the record, written comments are encouraged. The Director or a designee reserves the right to fix reasonable limits on the time allowed for oral statements and such other procedural requirements, as deemed appropriate.

Following a public hearing, the Director, unless it is decided to deny the permit, may make such modifications in the terms and conditions of the proposed permit as may be appropriate and shall issue the permit.

If no public hearing is held, and, after review of the written comments received, the Director determines that a permit should be issued and that the determinations as set forth in the proposed permit are substantially unchanged, the permit will be issued and will become final in the absence of a request for a contested hearing. Notice of issuance or denial will be made available to all interested persons and those persons that submitted written comments to the Director on the proposed permit.

If no public hearing is held, but the Director determines, after a review of the written comments received, that a permit should be issued but that substantial changes in the proposed permit are warranted, public notice of the revised determinations will be given and written comments accepted in the same manner as the initial notice of application was given and written comments accepted pursuant to EPD Rules, Water Quality Control, subparagraph 391-3-6-.08(7)(b). The Director shall provide an opportunity for public hearing on the revised determinations. Such opportunity for public hearing and the issuance or denial of a permit thereafter shall be in accordance with the procedures as are set forth above.

8.4 Final Determination

At the time that any final permit decision is made, the Director shall issue a response to comments. The issued permit and responses to comments can be found at the following address:

<http://epd.georgia.gov/watershed-protection-branch-permit-and-public-comments-clearinghouse-0>

8.5 Contested Hearings

Any person who is aggrieved or adversely affected by the issuance or denial of a permit by the Director of EPD may petition the Director for a hearing if such petition is filed in the office of the Director within thirty (30) days from the date of notice of such permit issuance or denial. Such hearing shall be held in accordance with the EPD Rules, Water Quality Control, subparagraph 391-3-6-.01.

Petitions for a contested hearing must include the following:

1. The name and address of the petitioner;
2. The grounds under which petitioner alleges to be aggrieved or adversely affected by the issuance or denial of a permit;
3. The reason or reasons why petitioner takes issue with the action of the Director;
4. All other matters asserted by petitioner which are relevant to the action in question.

APPENDIX A

Sewer Use Ordinance

(e) When sewer service lines outside the city limits must be located under public property and/or streets and roads, the service lines will be installed by city crews or contracted for by the city. The cost of such service lines shall be borne entirely by the customer, and a capacity charge shall be determined and made by the sewer superintendent. Routine maintenance of these service lines shall be the responsibility of the customer. Replacement of these service lines shall be on the same basis as described above in subsection (d).
(Code 1968, §21-44; Ord. No. 1082; §1, 1-8-96)

Sec. 38-75. Reimbursement Limited.

In no event shall the amount of reimbursement to the persons making the original payment under this article be more than 100 percent of their original investment for the water mains and facilities.
(Code 1968, §21-45)

Sec. 38-76. Size of Mains.

The city reserves the right to determine the size of the water and sewer mains to be installed, but in no event shall the water main be less than two inches in diameter and the sewer main less than six inches in diameter.
(Code 1968, § 21-46)

Secs. 38- 77 – 38-99. Reserved

DIVISION 4. SEWER USE.

Subdivision I. In General

Sec. 38-100. Purpose and Policy for Sewer Use Regulations.

(a) Compliance with State and Federal Water Pollution Control Laws. This division sets forth uniform requirements for persons who cause wastewater to be discharged into the wastewater collection and treatment system of the city and enables the city to comply with all applicable state and federal laws required by the Clean Water Act, as amended, and the General Pretreatment Regulations (40 CFR Part 403). The federally mandated, objectives of this division are to prevent the introduction of pollutants into the city wastewater system which will interfere with the operation of the system or contaminate the resulting sludge; to prevent the introduction of pollutants into the city wastewater system which will pass through the system, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the system; to improve the opportunity to recycle and reclaim wastewater and sludge from the system; and to provide for equitable distribution of the cost of the city wastewater system.

(b) This division provides for the regulation of persons who cause wastewater to be discharged into the city wastewater system through the issuance of permits to certain non-domestic users and through enforcement activities, requires user reporting, assumes that existing customers' capacity will not be preempted, and provides for the setting of fees for the equitable distribution of costs resulting from the operation and maintenance of the water and wastewater systems.

(c) Applicability. This division shall apply to the residents of the city and to all users of the city water and wastewater systems including persons outside the city, who are, by contract or

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agreement with the city users of the city water and wastewater systems. Except as otherwise provided herein, the city manager or his/her designee shall administer, implement and enforce the provisions of the division.

(Ord. No. 2117, §1, 7-7-03)

Sec. 38-101. Definitions.

Unless the context specifically indicates otherwise, the following terms and phrases, as used for the purpose of guidance in this division, shall have the meanings hereinafter designated, but are not intended to be exclusive definitions.

Act or the Act: The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251 et seq.

Ammonia (NH₃): A colorless gaseous alkaline compound of nitrogen and hydrogen that is very soluble in water.

Approval Authority: The Director of the Georgia Environmental Protection Division.

Authorized Representative of the User.

- (1) If the user is a corporation:
 - a. The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function or any other person who performs similar policy or decision-making functions for the corporation; or
 - b. The manager of one or more manufacturing, production, corporation facilities, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- (2) If the user is a partnership or sole proprietorship: a general partner or proprietor, respectively.
- (3) If the use is a federal, state or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
- (4) The individuals described in subsections (1) through (3) above, may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the city.

Biochemical Oxygen demand (BOD): The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees Celsius, expressed in milligrams per liter.

Building Drain: That part of the piping of a building, which collects wastewater inside the walls of the building and conveys it to outside the building wall.

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Building Sewer: The extension from the building drain to the public sewer or other point of acceptance also called "house connection". Proper maintenance of this service line is the owner's responsibility from the building drain to the point of acceptance which is the sewer main.

Cooling Water: The water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.

City: City of Elberton, Georgia.

City Manager: City Manager or his/her designee.

Customer: Every person, firm, association, corporation, government agency, or similar organization who is responsible for contracting (expressly or implicitly) with the city in obtaining, having or using water or wastewater connections with, or sewer taps to the city wastewater system and in obtaining, having or using water or other related services furnished by the city for the purpose of disposing of wastewater through said system. The term customer shall also include illicit users of the water or wastewater systems.

Composite: The makeup of a number of individual samples, so taken as to represent the nature of sewage or industrial wastes.

Direct Discharge: The discharge of treated or untreated wastewater directly to the waters of the State of Georgia.

Domestic Wastewater: That wastewater discharged into the wastewater system from domestic sources such as toilets, washing machines, dishwashers, sinks, showers, and bathtubs from normal household usage.

Easement: An acquired legal right for the specific use of land owned by others.

Effluent: The discharge flow of a treatment facility.

Environmental Protection Agency or EPA: The U. S. Environmental Protection Agency, or where appropriate the term may also be used as a designation for the administrator or other duly authorized official of said agency.

Existing Source: Any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.

Federal Categorical Pretreatment Standard or Federal Pretreatment Standard: Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with section 307(b) and (c) of the Act (33 U.S.C. 1317) which applies to a specific category of industrial users. Categorical standards appear in 40 CFR, Chapter 1, Subchapter N. Parts 405-471.

Floatable Oil and Grease: Oil, fat or grease in a physical state such that it will separate by flotation from wastewater by treatment in an approved pretreatment facility or sand and oil/grease interceptor.

Flush Toilet: The common sanitary flush commode in general use for the disposal of human excrement.

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Garbage: The animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods.

Governing Body: The Mayor and Council of the City of Elberton, Georgia.

Grab Sample: A sample, which is taken from a waste stream without regard to the flow in the waste stream and over a period of time not to exceed 15 minutes.

Grit: Matter consisting of sand, gravel, cinders or other heavy solid materials that has settling velocities or specific gravities greater than those of organic putrescible solids normally encountered in domestic wastewater.

Health Department: Elbert County Health Department.

High Strength Wastewater: Wastewater, which contains quantities of specified constituents that exceed the quantities normally encountered in domestic wastewater.

Holding Tank Waste: Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks and vacuum-pump tank trucks.

House Connection: Same as the "building sewer".

Indirect Discharge or Discharge: The introduction of pollutants into the POTW from any non-domestic source regulated under Sec. 307(b), (c), or (d) of the Act.

Industrial Customers: Persons, who on account of their particular type of business activity, discharge into the city sanitary sewerage system an unusual amount or unusual type of sewage which present special problems in sewage disposal and sewage treatment.

Industrial User or Contributor: An industry which discharges waste waters having the characteristics of industrial wastes, as distinct from commercial wastes or domestic wastes.

Infiltration/Inflow: Groundwater and surface water which leaks into the wastewater system through cracked pipes, joints, manholes, or other openings.

Inflow: Water that flows into the wastewater system from the surface, streams, roof drains, down spouts or other such source.

Instantaneous Maximum Allowable Discharge Limit: The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composite sample collected, independent of the industrial flow rate and the duration of the sampling event.

Interference: A discharge, which alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of the city's NPDES permits or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent state or local regulations: Section 405 of the Act; the Solid Waste Disposal Act, including Title 11 commonly referred to as the Resource Conservation and Recovery Act (RCRA); any state regulations contained in tiny State sludge management plan prepared pursuant to Subtitle D of the

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Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

Main: The pipe, conduit, or facility, which conveys utility service to individual services or to other mains.

Medical Waste: Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

Meter: Any device used to measure service rendered to a customer by the city.

National Pollution Discharge Elimination System or NPDES Permit: A permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).

Natural Outlet: Any outlet, including storm sewers, watercourses, ponds, ditches, lakes or other bodies of surface water or groundwater.

New Source:

- (1) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
 - a. The building, structure, facility, or installation is constructed at a site at which no other source is located; or
 - b. The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - c. The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.
- (2) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building structure, facility, or installation meeting the criteria of subsection (1)(b) or (c) above, but otherwise alters, replaces, or adds to existing process or production equipment.
- (3) Construction of a new source as defined under this paragraph has commenced if the owner or operator has:
 - a. Begun, or caused to begin, as part of a continuous onsite construction program
 1. Any placement, assembly, or installation of facilities or

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equipment; or

2. Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

- b. Entered into a binding contractual obligation for the purchase of facilities or equipment, which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

Non-contact Cooling Water: Water used for cooling, which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

Non-domestic User: Any user of the city wastewater system who discharges wastewater into the wastewater system from a structure other than a residential user.

Non-domestic Wastewater: The wastewater generated from non-domestic users as distinct from domestic or sanitary wastes.

Ordinance: This sewer use ordinance, as amended, including any future codification thereof by City of Elberton.

Pass Through: A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the City's NPDES permits, including an increase in the magnitude or duration of a violation.

Person: Any individual, partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all federal, state, and local governmental entities.

pH: The logarithm (base 10) of the reciprocal of the molar concentration of hydrogen ions, in solution.

Phosphorus (P): An element that appears in wastewater in different forms and serves as an essential element for biological growth.

Pit Privy: Shored, vertical pit in the earth used for the disposal of human or animal wastes.

Point of Acceptance: For sewer systems, the point of acceptance is the point at which the city's piping connects with the customer's piping commonly called the "tap".

Pollutant: Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological material, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

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Pollution: The man-made or man-induced detrimental alteration of the chemical, physical biological, and radiological integrity of water or soil, or the products, which create or cause such alteration.

POTW Treatment Plant: That portion of the publicly owned treatment works (POTW) designed to provide treatment to wastewater.

Pretreatment Coordinator: The person designated by the city to supervise the operation of the industrial program.

Pretreatment Requirements: Any substantive or procedural requirement related to pretreatment, other than a national pretreatment standard imposed on a non-domestic user.

Pretreatment Standards or Standards: Pretreatment standards shall mean prohibited discharge standards, categorical pretreatment standards, and local limits.

Pretreatment or Treatment : The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into the wastewater treatment system. The reduction or alteration can be obtained by physical, chemical or biological processes, or by process changes or other means, except as prohibited by 40 CFR Sec. 403.6(d).

Prohibited Discharge Standards or Prohibited Discharges: Absolute prohibitions against the discharge of certain substances; these prohibitions appear in section 38-110 of this division.

Properly Shredded Garbage: The wastes from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.

Publicly Owned Treatment Works (POTW): A treatment works as defined by Sec. 212 of the Act (33 U.S.C. 1292) which is owned in this instance by the city. This definition includes any sewers that convey wastewater to the POTW treatment plant; list does not include pipes, sewers or other conveyances not connected to a facility providing treatment. For the purposes of this ordinance, "POTW" shall also include any sewers that convey wastewaters to the POTW from person outside the city who are by contract agreement with the city, users of the city's POTW.

Public Sewer: A common sewer controlled by a governmental agency or public utility; in this case, the City of Elberton.

Sanitary Sewer or Sewer: A sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions.

Septic Tank: A sub-surface impervious tank designed to temporarily retain sewage or similar waterborne wastes together with:

- (1) A sewer line constructed with solid pipe with the joints scaled connecting the impervious tank with a plumbing stub out; and
- (2) A subsurface system of trenches, piping and other materials constructed to drain the clarified discharge from the tank and distribute it underground to be absorbed or filtered.

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Service Connection: The point of connection of the customer's piping with the meter or service pipe owned by the city.

Service Lateral: The pipe between the utility's mains and the point of delivery and shall include all of the pipe, fittings, and valves necessary to make the connection excluding the meter.

Sewage: A combination of the water-carried wastes from residences, businesses, institutions, and industrial establishments, together with such ground, surface and storm waters as may be present.

Sewer: A pipe or conduit that carries wastewater.

Significant Industrial User:

- (1) A user subject to categorical pretreatment standards; or
- (2) A user that:
 - a. Discharges an average of 25,000 gpd or more of process wastewater to the POTW (excluding sanitary, non-contact coolant, and boiler blowdown wastewater;
 - b. Contributes a process waste stream which makes up five percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - c. Is designated as such by the city on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
- (3) Upon a finding that a user meeting the criteria in subsection (2) has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the city may at any time; on its own initiative or in response to a petition received from a user, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a significant industrial user.

Slug Load or Slug: Any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in this division.

State: State of Georgia.

Standard Industrial Classification (SIC): A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1987, as amended.

Standard Methods: Those procedures or methods established by the latest edition of the "Standard Methods for the Examination of Water and Wastewater" as prepared, approved, and published jointly by the American Public Health Association, the American Water Works Association, and the Water Environment Federation, a copy of which is on file in the office of the City Manager or his/her designee.

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Storm Drain: Sometimes termed storm sewer, it shall mean a drain or sewer for conveying surface water, groundwater, subsurface water, or unpolluted water from any source.

Storm Water: Any flow occurring during or following any form of natural precipitation and resulting there from.

Surcharge: The payment made by an industrial user for the discharge of any wastewater into the City of Elberton collection and treatment system in excess of the plant design levels. The surcharge assessment will only be based on the concentration in excess of these levels. The total wastewater user charge shall then be the normal wastewater user charge as defined in this section plus the surcharge.

Suspended Solids or Total Suspended Solids (TSS): Total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater" and referred to as non-filterable residue.

Toxic: Constituents of wastes which adversely affect the organisms involved in wastewater treatment.

Unpolluted Water: Water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities.

User: Any person who contributes, causes or permits the discharge of wastewater into the city wastewater system.

Wastewater: Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institution whether treated or untreated, which are contributed to the POTW.

Wastewater System or City Wastewater System: The total wastewater collection and disposal facilities including wastewater pollution control plants owned and operated by the city. Also the administrative framework which operates the facilities.

Wastewater User Charge: The charges established annually by the City of Elberton through which each sanitary sewer user pays for the use of said sewer to dispose of this wastewater. The total sewer user charge is the sum of the wastewater user charge plus the surcharge as defined in this section.

Water Meter: Those devices, approved by the city for the purpose of establishing the quantity of water consumed by a premise or person.

Water System or City Water System: The total water distribution facilities owned and operated by the city. Also the administrative framework which operates the facilities.

Watercourse: Shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

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Waters of the State: Any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of the state which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation.
(Ord. No. 2117, §1, 7-7-03)

Sec. 38-102. Abbreviations.

(a) The following abbreviations shall have the designated meanings:

BOD	Biochemical Oxygen Demand
CFR	Code of Federal Regulations
COD	Chemical Oxygen Demand
CWA	Clean Water Act
EPA	Environmental Protection Agency
L	Liter
mg	Milligrams
mg/l	Milligrams per liter
NPDES	National Pollutant Discharge Elimination System
O & M	Operation and Maintenance
POTW	Publicly Owned Treatment Works
psi	Pounds per Square Inch
SIC	Standard Industrial Classification
TSS	Total Suspended Solids
USC	United States Code

(Ord. No. 2117, §1, 7-7-03)

Sec. 38-103, Sewage and Waste Disposal; Impoundment of Surface Waters.

It shall be unlawful to use any waters of the state for the disposal of sewage; industrial wastes, or other wastes, or to withdraw, divert, or impound any surface waters of the state, except in such a manner as to conform to and comply with Article 2 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated.
(Ord. No. 2117, §1, 7-7-03)

Sec. 38-104. Connection to Public Water and Wastewater Systems Required; Septic Tanks and Individual Sewage Management Systems; Certificate of Occupancy.

(a) In the interest of the public health, sanitation and general welfare, all buildings and structures located within the city, of every nature, use and design, intended for human occupancy, shall have a proper source of potable drinking water and sewage disposal. Buildings and structures accessible to a public water system and/or a public sanitary sewer system shall be properly connected on or into such systems prior to issuance of a certificate of occupancy.

(b) No permit for the construction of any residence, building or other facility which cannot be served by public sanitary sewer shall be issued, and no certificate for the use and occupancy for any existing residence, building or other facility which cannot be served by public sanitary sewer shall be issued, unless a septic tank or individual sewage management system permit has been issued by the Board of Health in conformity with any state-wide minimum standards for sewage management systems and the regulations of the board of health then in force and effect.

(c) It shall be unlawful for any person to construct, maintain, or permit to exist upon their property any privy, privy vault, cesspool, or other facility intended for use or disposal of human excrement, and the existence thereof is hereby declared a public nuisance, abatable in accordance with the provisions of the City code.
(Ord. No. 2117, §1, 7-7-03)

Sec. 38-105. Duty of owner and occupant to properly operate and maintain septic tanks and other permitted individual sewage management systems.

(a) It shall be the duty of the property owner and any person occupying private property under lease or by permission of the owner, on which is located a building or structure intended for human occupancy whose sole means of sewage disposal is a septic tank or individual sewage management system, to properly operate and maintain such system in good working condition, free of odor, at all times.

(b) In addition to the enforcement provisions of this division, continued violation of this section shall constitute grounds for discontinuance or revocation of any permit issued for such system and for revocation or suspension of any certificate of occupancy for the building or structure served.
(Ord. No. 2117, §1, 7-7-03)

Sec. 38-106. Connection to Public Sewer required upon failure of septic tank or individual sewage management system.

(a) At such time as public sanitary sewer becomes accessible in those areas where existing buildings or structures intended for human occupancy are currently served by septic tanks or individual sewage management systems, upon the failure of such septic tank or individual sewage management system, use of such system shall be discontinued and no permit shall be issued for maintenance or bringing the system into compliance, and the property owner shall cause the building or structure to be connected to the public sanitary sewer system.

(b) Abandoned septic tanks and individual systems shall either be removed by the owner or filled with suitable material so as not to constitute a hazard or nuisance.
(Ord. No. 2117, §1, 7-7-03)

Sec. 38-107. Separate Building Sewers Required.

A separate building sewer shall be provided for every building and structure intended for human occupancy and accessible to the public sanitary sewer system, unless for good cause shown the city manager or his/her designee issues a written permit to allow more than one building or structure to be connected on a common building sewer.

Sec. 39-108-38-109. Reserved.

Subdivision II. Non-Domestic (Industrial, Commercial, Institutional) Use of Public Wastewater Facilities

Sec. 38-110. Prohibited Discharges for Non-Domestic (Industrial, Commercial, Institutional) Use of Public Wastewater Facilities.

(a) *General Prohibitions.* No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other national, state, or local pretreatment standards or requirements.

(b) *Specific Prohibitions.* No user shall introduce or cause to be introduced into the POTW the following pollutants, substances or wastewater:

- (1) Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, waste streams with a closed-cup flash point of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21 as amended or replaced.
- (2) Wastewater having a pH less than 5.5 or more than 9.5 or otherwise causing corrosive structural damage to the POTW or equipment.
- (3) Solid or viscous substances in amounts which will cause obstruction of the flow in the sewer system or POTW resulting in interference.
- (4) Pollutants, including oxygen-demanding pollutants (BOD), etc.) released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW.
- (5) Wastewater having a temperature greater than 150 degrees F (65 degrees C) or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104 degrees F (40 degrees C).
- (6) Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through.
- (7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems.
- (8) Trucked or hauled pollutants except at discharge points designated by the city manager or his/her designee in accordance with section 38-122 of this division.
- (9) Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair.
- (10) Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the city's NPDES permits.

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- (11) Wastewater containing any radioactive wastes or isotopes except in compliance with applicable state or federal regulations.
- (12) Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, non-contact cooling water, and unpolluted wastewater, unless specifically authorized by the city manager or his/her designee.
- (13) Sludge, screenings, or other residues from the pretreatment of industrial wastes.
- (14) Medical wastes, except as specifically authorized by the city manager or his/her designee in a wastewater discharge permit.
- (15) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail toxicity test.
- (16) Detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW.
- (17) Fats, oils, or greases of animal or vegetable origin in concentrations greater than 100 mg/l.
- (18) Wastewater causing two readings on an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW, of more than five percent or any single reading over ten percent of the lower explosive limit of the meter.
- (19) The following pollutant limits are established to protect against process interference, stream standards violation, or sludge contamination. Discharges by users of the collection and treatment system are limited such that the concentrations of specific pollutants measured at the point of discharge into the collection system do not exceed concentrations specified below.

(c) No user shall discharge wastewater, which exceeds the following daily maximum limits (all numbers shown in milligrams per liter, mg/l):

POLLUTANT PARAMETER	CITY OF ELBERTON SANITARY SEWER LIMIT (mg/l)
Biochemical Oxygen Demand (BOD5)	750
Total Suspended Solids	750
Ammonia (as N)	50
Cadmium	5.0
Chromium (Total)	3.0
Copper (Total)	3.0
Nickel	0.1
Selenium	0.51
Silver	5.0
Tin	5.0
Zinc	3.0
Cyanide	0.0
Phenol	0.5

(d) Pollutants substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW.
(Ord. No. 2117, §1, 7-7-03)

Sec. 38-111. Federal and State Requirements.

(a) Any laws or regulations promulgated by the State of Georgia relative to the construction or use of wastewater facilities, which are stricter than the regulations provided in the City code are incorporated herein by reference, and such regulations shall be enforced by the city.

(b) Federal pretreatment standards. The federal government has adopted regulations governing wastewater discharges from industries into POTWs. These federal regulations are generally referred to as the federal pretreatment standards, as set forth 40 CFR Part 403, or the federal categorical pretreatment standards, as set forth in 40 CFR Parts 405-471. Any portion of these federal standards, as amended or replaced, which are stricter than the regulations provided in the City Code are incorporated herein by reference, and such regulations will be enforced by the city.
(Ord. No. 2117, §1, 7-7-03)

Sec. 38-112. Wastewater Pretreatment Permit Application.

(a) All non-domestic users shall, upon the request of the city manager or his/her designee, complete and submit to the city manager or his/her designee a wastewater pretreatment permit application. The wastewater pretreatment permit application shall be on a form provided by the city manager or his/her designee and shall be used for the purpose of determining whether the industry is a "significant industrial user", issuing a permit and for other purposes. The wastewater pretreatment permit application shall include the following information, at a minimum.

- (1) Name, address, location, if different from the address.
- (2) SIC number according to the Standard Industrial Classification Manual, U. S. Office of Management and Budget, 1987 as amended.
- (3) Wastewater constituents and characteristics, including but not limited to those shown in section 38-110 of this division.
- (4) Time and duration of contribution.
- (5) Average daily and peak wastewater flow rates, including daily, monthly and seasonal variations, if any.
- (6) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections and appurtenances by size, location and elevation.
- (7) Description of activities, facilities, and plant process on the premises, including all materials which are or could be discharged.
- (8) Each product produced by type, amount, process or process and rate of production.
- (9) Type and amount of raw materials processed (average and maximum per day).
- (10) Number and type of employees and hours of operation of plant and proposed or actual hours of operation of pretreatment system.

- (11) Any other information as may be deemed by the city to be necessary to evaluate the permit application.
 - (12) All wastewater discharge permit applications and user reports must be signed by the user or an authorized representative of the user and contain the following certification statement: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."
 - (13) The city manager or his/her designee will evaluate the data furnished by the user and may require additional information.
 - (b) Industrial wastewater pretreatment permit fees: In addition to any other rates, fees, charges, and penalties authorized by law, the council may adopt reasonable industrial wastewater pretreatment permit fees for reimbursement of various costs related to the pretreatment program. The fee for an industrial pretreatment permit will be due at the time application is made to the city.
- (Ord. No. 2117, §1, 7-7-03)

Sec. 38-113. Wastewater Pretreatment Sampling and Testing Procedures.

- (a) Sampling Procedures:
 - (1) Except as indicated in subsection (2), below, the user must collect wastewater samples using flow proportional composite collection techniques. In the event flow proportional sampling is infeasible, the city manager or his/her designee may authorize the use of time proportional sampling or a minimum of four grab samples where the user demonstrates that this will provide a representative sample of the effluent being discharged. In addition, grab samples may be required to show compliance with instantaneous discharge limits.
 - (2) Samples for oil and grease, temperature, pH, cyanide, phenols, hexavalent chromium, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
- (b) Testing Procedures.
 - (1) All wastewater monitoring samples required by the city shall be tested by an independent laboratory for the parameters required, with the results submitted to the city on the original laboratory report sheets.
 - (2) All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, or in accordance with any applicable EPA testing procedure of general acceptance in the chemical testing industry, provided, however, that

all such analyses shall be determined in accordance with the requirements of 40 CFR 136, which requirements shall prevail in the event of conflict.

- (3) The cost(s) incurred for testing shall be the responsibility of the customer.
(Ord. No. 2117, §1, 7-7-03)

Sec. 38-114. Significant Industrial Users.

(a) Sampling manhole. In order to provide for accurate sampling and measurement of industrial wastes, each significant industrial user (as defined in section 38-101) shall provide and maintain, on each of its industrial waste outlet sewers, a monitoring station to be located outside the plant. If inside the plant fence, there shall be a gate near the sampling manhole with a key furnished to the city. In accordance with the City of Elberton water and sewer specifications, there shall be ample room provided in each monitoring station to enable convenient inspection and sampling by the city, or its agent. Also a parshall flume and a 110 volt electrical outlet may be required to allow for composite sampling. In certain monitoring stations where noxious fumes may accumulate the city may require a fume exhaust system to protect the life and health of the city employees who are required to enter the monitoring station. The fume exhaust system should extract the fumes from the bottom of the station and provide not less than one air change per minute.

- (b) It shall be unlawful for any significant industrial user, as determined under this division, to discharge wastewater into the city wastewater system without a city issued discharge permit.
(Ord. No. 2117, §1, 7-7-03)

Sec. 38-115. Discharge Permits.

(a) All significant industrial users proposing to connect to or to contribute to the city wastewater system shall obtain a wastewater discharge permit before connecting to or contributing to the city system.

- (b) The following application process will be used to issue discharge permits:

- (1) When requested to do so by the city manager or his/her designee, all significant industrial users shall complete and file with the City Manager or his/her designee an application for a permit accompanied by a non-refundable fee as set by resolution of the council, from time to time. Existing users shall apply for a discharge permit within 60 days of notification by the city manager or his/her designee that a discharge permit is required. Proposed new users shall make application not less than 90 days prior to connecting to or contributing to the city wastewater system. The completed wastewater pretreatment permit application described in section 38-112 will serve as application for a discharge permit.
- (2) The city manager or his/her designee will evaluate the data furnished by the user and may require additional information. Within 60 days of receipt of a complete wastewater discharge permit application, the city manager or his/her designee will determine whether or not to issue a wastewater discharge permit. The city manager or his/her designee may deny an application for a wastewater discharge permit, in writing, stating the reasons for denial.

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- (3) Any aggrieved user, whose permit application has been denied, may petition the city manager or his/her designee to reconsider the terms of a wastewater discharge permit within 30 days of notice of its denial.
- a. Failure to submit a timely petition for review shall be deemed to be a waiver of any administrative appeal. The petition shall set forth all grounds of alleged error upon which the permit denial was based.
 - b. If the city manager or his/her designee fails to act within 30 days, a request for reconsideration shall be deemed to be denied. Decisions not to reconsider a wastewater discharge permit denial shall be considered final administrative actions for purposes of judicial review.
 - c. Aggrieved users seeking judicial review of the final administrative wastewater discharge permit decision must do so by filing a petition for writ of certiorari in the Elbert County superior court.
- (c) The city manager or his/her designee may modify a wastewater discharge permit for good cause, including, but not limited to, the following reasons:
- (1) To incorporate any new or revised federal, state or local pretreatment standards or requirements;
 - (2) To address significant alterations or additions to the user's operation, processes, or wastewater volume or character since the time of wastewater discharge permit issuance;
 - (3) A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
 - (4) Information indicating that the permitted discharge poses a threat to the authority's POTW, authority personnel or the receiving waters;
 - (5) Violation of any terms or conditions of the wastewater discharge permit;
 - (6) Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
 - (7) Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13;
 - (8) To correct typographical or other errors in the wastewater discharge permit; or
 - (9) To reflect a transfer of the facility ownership or operation to a new owner or operator.
- (d) Wastewater discharge permits shall be expressly subject to all provisions of this division and all other applicable regulations, user charges and fees established by the city. Permits must contain, at a minimum, the following:

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- (1) A statement that indicates wastewater discharge permit duration, which in no event shall exceed five years;
- (2) A statement that the wastewater discharge permit is nontransferable without prior notification to the city in accordance with subsection (e) of this section, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
- (3) Effluent limits based on applicable pretreatment standards;
- (4) Self-monitoring, sampling, reporting, notification, and record keeping requirements. These requirements shall include an identification of pollutants to be monitored, sampling location, sampling frequency, and sample type based on federal, state and local law; and
- (5) A statement of applicable sanctions for violation of pretreatment standards and requirements and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable federal, state, or local law.
- (6) Wastewater discharge permits may also contain but need not be limited to the following conditions:
 - a. Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
 - b. Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;
 - c. Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or non-routine discharges;
 - d. Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
 - e. The unit charge or schedule of user charges and fees for the management of the wastewater discharged to the POTW;
 - f. Requirements for installation and maintenance of inspection and sampling facilities and equipment;
 - g. A statement that compliance with the wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable federal and state pretreatment standards, including those which become effective during the term of the wastewater discharge permit; and
 - h. Other conditions as deemed appropriate by the city manager or his/her designee to ensure compliance with this division, and state and federal laws, rules and regulations.

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(e) Permits shall be issued for a period as determined by the city, not to exceed five years and shall bear a stated expiration date. It shall be the responsibility of the permittee to apply for permit renewal a minimum of 60 days prior to the expiration of the existing permit. The terms and conditions of the permit may be subject to modification by the city during the term of the permit as limitations or requirements as identified as identified in subsection (c) above, are modified, conditions change, or other just cause exists. The permittee shall be informed of any proposed changes in his permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

(f) Wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least 60 days advance notice to the city manager or his/her designee and the city manager or his/her designee approves the wastewater discharge permit transfer. The notice to the city manager or his/her designee must include a written certification by the new owner or operator which:

- (1) States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;
- (2) Identifies the specific date on which the transfer is to occur; and
- (3) Acknowledge full responsibility for complying with the existing wastewater discharge permit.

Failure to provide advance notice of a transfer renders the wastewater discharge permit void as of the date of facility transfer.

(g) Suspension, revocation or denial.

- (1) When the city manager or his/her designee has reason to believe that any one of the conditions enumerated in subsection (2) below exists, he shall give written notice thereof to the permittee. Said notice shall set forth the time and place where the charges shall be heard by the City Manager or his/her designee. The hearing date shall not be less than 15 days from the mailing of such notice by certified mail to the permittee at the address shown on the permit or at permittee's last known address. At the hearing, the permittee shall have an opportunity to refute the allegations set forth in the proposed permit revocation notice. If after the hearing the city manager or his/her designee finds that any one of the conditions hereinafter enumerated in subsection (2) below, exists, he shall have the right to suspend, revoke, or deny the permit.
- (2) Any of the following is reason for permit suspension, revocation or denial:
 - a. Failure to notify the city manager or his/her designee of significant changes to the wastewater prior to the changed discharge;
 - b. Failure to provide prior notification to the city manager or his/her designee of changed conditions pursuant to section 38-116 of this division;
 - c. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
 - d. Falsifying self-monitoring reports;

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- e. Tampering with monitoring equipment;
- f. Refusing to allow the city manager or his/her designee timely access to the facility premises and records;
- g. Failure to meet effluent limitations;
- h. Failure to pay fines;
- i. Failure to pay sewer charges;
- j. Failure to meet compliance schedules;
- k. Failure to complete a wastewater survey or the wastewater discharge permit application;
- l. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- m. Violation of any pretreatment standard or requirement, or any terms of the wastewater discharge permit or this division. Wastewater discharge permits shall be voidable upon cessation of operations or transfer of business ownership. All wastewater discharge permits issued to a particular user are void upon the issuance of a new wastewater discharge permit to that user.

(Ord. No. 2117, §1, 7-7-03)

Sec. 38-116. Discharge Permit Reporting Requirements.

(a) Baseline Monitoring Reports.

- (1) Within either 180 days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing categorical users currently discharging to or scheduled to discharge to the POTW shall submit to the city manager or his/her designee a report which contains the information listed in subsection (2), below. At least 90 days prior to commencement of their discharge, new sources, and sources that become categorical users subsequent to the promulgation of an applicable categorical standard, shall submit to the city manager or his/her designee a report which contains the information listed in subsection (2) below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.
- (2) Users described above shall submit the information set forth below:
 - a. *Identifying Information.* The name and address of the facility, including the name of the operator and owner.
 - b. *Environmental Permits.* A list of any environmental control permits held by or for the facility.

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- c. *Description of Operations.* A brief description of the nature, average rate of production, and standard industrial classifications of the operation(s) carried out by such user. This description should include a schematic process diagram, which indicates points of discharge to the POTW from the regulated processes.
- d. *Flow Measurement.* Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined waste stream formula set out in 40 CFR 403.6(e) as amended or replaced.
- e. *Measurement of Pollutants.*
 - 1. The categorical pretreatment standards applicable to each regulated process.
 - 2. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the City Manager or his/her designee, of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and long-term average concentrations or mass where required shall be reported. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in section 38-113 of this division.
 - 3. Sampling must be performed in accordance with procedures set out in section 38-113 of this division.
- f. *Certification.* A statement, reviewed by the user's authorized representative and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance and/or additional pretreatment is required to meet the pretreatment standards and requirements.
- g. *Compliance Schedule.* If additional pretreatment and/or operations and maintenance will be required to meet the pretreatment standards, the user shall submit a schedule to provide such additional pretreatment and/or operations and maintenance. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in section 38-116(b) of this division.
- h. *Signature and Certification.* All baseline monitoring reports must be signed and certified in accordance with section 38-112 of this division.

(b) *Compliance Schedule Progress Reports.* The following conditions shall apply to the compliance schedule required by subsection 38-116(a)(2)g. of this division.

- (1) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);

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(2) The user shall submit a progress report to the city manager or his/her designee no later than 14 days following each date in the schedule and the final date of compliance including, as a minimum whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the user to return to the established schedule; and

(3) In no event shall more than nine months elapse between such progress reports to the city manager or his/her designee.

(c) *Periodic Compliance Reports:*

(1) All significant industrial users shall, at a frequency determined by the city manager or his/her designee but in no case less than twice per year (in June and December), submit a report indicating the nature and concentration of pollutants in the discharge which are limited by pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. All periodic compliance reports must be signed and certified in accordance with section 38-112 of this division.

(2) All other users who have been issued discharge permits are required to submit compliance reports at the intervals set forth in each user's individual permit. The compliance reports shall address the discharge parameters and all other information indicated as being necessary to report as shown in the user's permit.

(3) All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.

(4) If a user subject to the reporting requirement in this section monitors any pollutant more frequently than required by the city manager or his/her designee, using the procedures prescribed in section 38-113 of this division, the results of this monitoring shall be included in the report.

(d) *Reports on Compliance with Categorical Pretreatment Standard Deadline.* Within ninety (90) days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the POTW, any user subject to such pretreatment standards and requirement shall submit to the city manager or his/her designee a report containing the information described in section 38-116(a)(2)d—f of this division. For users subject to equivalent mass or concentration limits established in accordance with the procedures in 40 CFR 403.6(c) as amended or replaced, this report shall contain a reasonable measure of the user's long-term production rate. For all other users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the user's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with section 38-112 of this division.

- (e) *Reports of Changed Conditions.* Each user must notify the city manager or his/her designee of any planned significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least 60 days before the change.
 - (1) The city manager or his/her designee may require the user to submit such information as may be deemed necessary to evaluate the changed condition including the submission of a wastewater discharge permit application under section 38-115 of the division.
 - (2) The city manager or his/her designee may issue a wastewater discharge permit under section 38-115 of this division or modify an existing wastewater discharge permit under section 38-115 of this division in response to changed conditions or anticipated changed conditions.
 - (3) For purposes of this requirement, significant changes include, but are not limited to, flow increases of 20 percent or greater, and the discharge of any previously unreported pollutants.
- (f) *Reports of Potential Problem, including Slug Loading.*
 - (1) In the case of any discharge, including, but not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, or a slug load, that may cause potential problems for the POTW, the user shall immediately telephone and notify the city manager or his/her designee of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user.
 - (2) Within five days following such discharge, the user shall, unless waived by the city manager or his/her designee, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability, which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to this division.
 - (3) A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees who to call in the event of a discharge described in subsection (1), above. Employees shall ensure that all employees, who may cause such a discharge to occur, are advised of the emergency notification procedure.
- (g) *Reports From Unpermitted Users.* All users not required to obtain a wastewater discharge permit shall provide appropriate reports to the city manager or his/her designee as the city manager or his/her designee may require in writing.
- (h) *Notice of Violation/Repeat Sampling and Reporting.* If sampling performed by a user indicates a violation, the user must notify the city manager or his/her designee within 24 hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the city manager or his/her designee within 30 days after becoming aware of the violation. The user is not required to resample if the city monitors at the user's facility at least once a month, or if the city

samples between the user's initial sampling and when the user receives the results of this sampling.

(i) *Notification of the Discharge of Hazardous Waste.*

- (1) Any user who commences the discharge of hazardous waste shall notify the POTW, the EPA regional waste management division director, and state hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the user discharges more than 100 kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimation of the mass of constituents in the waste stream expected to be discharged during the following 12 months. All notifications must take place no later than 180 days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under subsection 38-116(e) of this division. The notification requirement in this section does not apply to pollutants already reported by users subject to categorical pretreatment standards under the self-monitoring requirements of subsections 38-116(a), (c) and (d) of this division.
- (2) Dischargers are exempt from the requirements of paragraph (1) above, during a calendar month in which they discharge no more than 15 kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e) as amended or replaced. Discharge of more than 15 kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e) as amended or replaced, requires a one-time notification. Subsequent months during which the user discharges more than such quantities of any hazardous waste do not require additional notification.
- (3) In the case of any new regulations under Section 3001 of RCRA as amended or replaced identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the user must notify the city manager or his/her designee, the EPA regional waste management waste division director, and state hazardous waste authorities of the discharge of such substance within 90 days of the effective date of such regulations.
- (4) In the case of any notification made under this section, the user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- (5) This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this ordinance, a permit issued thereunder, or any applicable federal or state law

(j) All sampling and testing performed under this subsection for reporting requirements shall be conducted in accordance with Section 38-113.

(k) Written reports will be deemed to have been submitted on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.
(Ord. No. 2117, §1, 7-7-03)

Sec. 38-117. Discharge Permit Maintenance of Records.

(a) *Sampling and Testing Records.* Any permitted user subject to the reporting requirements established in section 38-116 shall maintain records of all information resulting from any monitoring activities. Such records shall include for all samples;

- (1) The date, exact place, method and time of sampling and names of the person or persons taking the samples;
- (2) The dates analyses were performed;
- (3) The name of the person(s) who performed the analysis;
- (4) The analytical techniques/methods used; and
- (5) The results of such analyses.

(b) *Monitoring Activities and Records of Results.* Any permitted user subject to the reporting requirements established in section 38-116 shall be required to retain for a minimum of three (3) years any records of monitoring activities and results (whether or not such monitoring activities are required by this ordinance) and shall make such records available for inspection and copying by the city, state, or EPA. This period of retention shall be extended during the course of any unresolved litigation regarding the permitted user or when requested by the city, state, or EPA.
Ord. No. 2117, §1, 7-7-03)

Sec. 38-118. Regulation of Waste received from other Jurisdictions.

(a) If another municipality, or user located within another municipality, contributes wastewater to the POTW, the city may enter into an intergovernmental contract with the contributing municipality.

(b) Prior to entering into an agreement required by subsection (a) above, the city manager or his/her designee shall request the following information from the contributing municipality:

- (1) A description of the quality and volume of wastewater discharged to the POTW by the contributing municipality;
- (2) An inventory of all users located within the contributing municipality that are discharging to the POTW; and
- (3) Such other information as the city manager or his/her designee may deem necessary.

(c) An intergovernmental contract, as required by paragraph (a), above, shall contain the following conditions:

- (1) A requirement for the contributing municipality to adopt a sewer use ordinance, which is at least as stringent as this ordinance, and local limits, which are at least as stringent as those, set out in section 38-110 of this division. The requirement shall specify that such ordinance and limits must be revised as necessary to reflect changes made to the city's ordinance or local limits.
 - (2) A requirement for the contributing municipality to submit a revised user inventory on at least an annual basis.
- (Ord. No. 2117, §1, 7-7-03)

Sec. 38-119. Industrial Pretreatment Facilities.

(a) All users shall provide necessary wastewater pretreatment as required to comply with the limitations and provisions contained in this division and to achieve compliance with all federal categorical pretreatment standards within the time limitations as specified by the federal pretreatment regulations. Any facilities required to pretreat wastewater to a level acceptable to the city shall be provided, operated, and maintained at the user's expense. Detailed plans prepared by a registered professional engineer showing the pretreatment facilities and operating procedures shall be submitted to the city for review and shall be acceptable to the city prior to commencement of construction of the facility. The review of such plans and operating procedures will in no way relieve the user of the responsibility for modifying the facility as necessary to produce an effluent acceptable to the city under the provisions of this division. Any subsequent changes in the pretreatment facilities or methods of operation shall be reported to and be acceptable to the city prior to the user's initiation of the changes.

(b) The timing of construction and operation of pretreatment as required hereby shall be in accordance with the compliance schedules provided by the city as described in subsection 38-116(b); however, the city shall also have the authority to issue compliance schedules independent of the permitting process and such compliance schedules may be enforced by the city as provided in the enforcement and penalties section of this division.

(c) All wastewater pretreatment facilities shall be properly and adequately maintained by the user so as to achieve the intended purpose of the facilities.

(d) Whenever deemed necessary, the city manager or his/her designee may require users to restrict their discharge during peak flow period, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage waste streams from industrial waste streams, and such other conditions as may be necessary to protect the POTW and determine the user's compliance with the requirements of this division.

(e) The city manager or his/her designee may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. A wastewater discharge permit may be issued solely for flow equalization.

(f) Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

(Ord. No. 2117, §1, 7-7-3)

Sec. 38-120. Sand and Oil/Grease Interceptors.

(a) Requirement for:

- (1) All users involved in the preparation of food for commercial purposes shall provide oil/grease interceptors or traps. Additionally any user who generates a wastewater which contains greater than the quantity of oil and grease regulated under this article, and provided that the excess oil and grease is floatable and can be effectively removed in an oil/grease interceptor or trap, then said user will be required to install a grease/oil interceptor.
- (2) All users whose wastewater stream is associated with unusually large quantities or grit, sand or gravel shall be required to install, operate and maintain a sand/grit trap. All car/truck wash systems and poultry hatcheries shall be required to install a sand/grit trap. Their design and installation shall be approved by the city in accordance with the requirements set forth in section 38-119 of this code.
- (3) The requirements of this division shall not apply to private living quarters or dwelling units.

(b) Design Criteria.

- (1) For restaurants and other eating establishments. All sand and oil/grease interceptors used in conjunction with restaurants or other eating establishments shall have a capacity of 15 gallons per seat, except that no grease trap shall be smaller than 750 gallons or larger than 3,000 gallons.
- (2) For facilities other than eating establishments. All sand and oil/grease interceptors used in conjunction with facilities other than eating establishments shall have a capacity that will provide not less than ten minutes nor more than 30 minutes retention time at the peak eight hour flow rate, flow-through velocities shall not exceed one foot per second at the peak eight hour flow rate.
- (3) Where such parameters have not been otherwise set forth herein, all sand and oil/grease interceptors shall be sized, located and constructed in accordance with the provisions of the Georgia State Minimum Standards Plumbing Code adopted by the City of Elberton in conjunction with the Georgia Uniform Codes Act.

(c) Maintenance by the Owner.

- (1) All grease, oil and sand/grit interceptors or traps shall be maintained by the user at their expense, in continuously efficient operation at all times.
- (2) Maintenance of grease traps: Maintenance shall be performed at frequencies necessary to protect the capacity of the sewer system against the accumulation of grease and oils, as required by the "30 percent rule" as defined in paragraph (4) below, and at intervals no less than annually.
- (3) It is specifically prohibited to maintain grease traps by bacteriological, chemical, or enzymatic addition or treatment.
- (4) The "30 percent rule" requires that the depth of oil and grease (floating and settled) in a trap shall not be equal to or greater than 30 percent of the total operating depth of the trap. The

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operating depth of a trap is determined by measuring the internal depth from the outlet water elevation to the bottom of the trap. In application of this rule, the depth of floating oil and grease shall not be greater than 25 percent of total operation depth of a trap since five percent of the oil and grease is generally settled at the bottom of the trap.

- (5) The user shall be responsible for the proper removal and legal disposal of the grease trap waste. Any removal and hauling of the collected materials not performed by the owner's employees must be performed by currently licensed waste disposal firms. All material shall be disposed of at a facility permitted to receive such waste. Under no circumstances shall the collected materials ever be returned to the wastewater system.
- (6) Maintenance shall include the complete removal of all contents, including floatable materials, wastewater, sludge, and solids. Top skimming of outdoor grease traps, decanting or back flushing of the grease trap or its wastes for the purpose of reducing the volume to be hauled is prohibited. Further, the discharge of liquid, semi-solids, or solids into a grease trap from vehicles after servicing is prohibited. Vehicles capable of separating water from grease shall not discharge separated water into the grease trap or into the wastewater collection system.
- (7) Record keeping requirement. The user shall be responsible for maintaining records (manifests) as to the dates of service, quantity of waste removed, end disposal site of waste, and waste hauler. These records shall be kept on-site at the user's location for a period of three years and subject to the city manager or his/her designee's review without prior notification. The manifest shall include the items listed below:

Name of Facility;
Address;
Telephone Number;
Trap Type and Size;
Authorized signature verifying that grease trap was cleaned and in operable condition;
Date of Service;

Waste Hauler Name, Address and Telephone Number;
Hauler Permit Number;
Total gallons removed from the Grease Trap;
Disposal Method;
Authorized Signature and Date of Service;
Disposal Site Name, Address and Telephone Number;
Facility Permit Number;
Total Gallons Received;
Authorized Signature and Date of Disposal.

- (8) In addition to record keeping requirements above, as materials are removed, the manifests from haulers are required to be sent to the city manager or his/her designee within 30 days of removal at:

City of Elberton
234 North McIntosh Street
Elberton, Georgia 30635

(d) *Notice of Non-Compliance:* Whenever the city manager discovers a violation of the 30 percent rule, or of the plans or specifications submitted and approved there under, a written notice shall be

served by the city manager upon the person responsible for directing discontinuance of such illegal action and the remedying of the condition that is in violation of the Elberton Sewer Use Ordinance.

(e) *Inspections.* The city manager shall designate appropriate personnel to periodically inspect interceptors to ensure compliance with requirements set forth in this Code. The city manager or his/her designee shall have the right to direct and conduct inspections as described in the provisions of section 38-140 of this division.
(Ord. No. 2117, §1, 7-7-03)

Sec. 38-121. Discharge Permit Holders that have Accidental Discharges.

(a) *Protection against.* Each significant industrial user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this division. Additionally, any person or industry which handles hazardous wastes, any priority pollutant as shown on the EPA list, or any prohibited materials shall, upon the request of the city, provide proof of protection from accidental discharge of hazardous wastes, priority pollutants, or prohibited materials. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner's or user's own cost and expense. Detailed plans prepared by a registered professional engineer showing facilities and operating procedures to provide this protection shall be submitted to the city for review and shall be approved by the city before construction of the facilities. All existing users shall complete such a plan within 90 days after the effective date of this division. Construction shall be completed within 180 days of approval of plans by the city. No significant industrial user who commences contribution to the city wastewater system after the effective date of this division shall be permitted to introduce pollutants into the system until accidental discharge procedures and facilities (if required) have been approved by the city. Review and approval of such plans and operating procedures shall not relieve the user from the responsibility to modify the user's facility as necessary to meet the requirements of this division.

(b) Notification of accidental discharge shall be in accordance with subsection 38-116(f) of this division.

(c) At least once every two years, the city manager or his/her designee shall evaluate whether each significant industrial user needs an accidental discharge/slug control plan. The city manager or his/her designee may require any user to develop, submit for approval, and implement such a plan. Alternatively, the city manager or his/her designee may develop such a plan for any user. An accidental discharge/slug control plan shall address, at a minimum, the following:

- (1) Description of discharge practices, including non-routine batch discharges;
- (2) Description of stored chemicals;
- (3) Procedures for immediately notifying the city manager or his/her designee of any accidental or slug discharge; as required by section 38-116 of this division; and
- (4) Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

(Ord. No. 2117, §1, 7-7-03)

Sec. 38-122. Hauled Wastewater.

(a) Septic tank waste may be introduced into the POTW only at locations designated by the city manager or his/her designee and at such times as are established by the city manager or his/her designee. Such waste shall not violate any section of this division or any other requirements established by the city. The city manager or his/her designee may require septic tank waste haulers to obtain wastewater discharge permits.

(b) The city manager or his/her designee shall require haulers of industrial waste to obtain wastewater discharge permits. The city manager or his/her designee may require generators of hauled industrial waste to obtain wastewater discharge permits.
The city manager or his/her designee also may prohibit the disposal of hauled industrial waste. The discharge of hauled industrial waste is subject to all other requirements of this division.

(c) Industrial waste haulers may discharge loads only at locations designated by the city manager or his/her designee. No load may be discharged without prior consent of the city manager or his/her designee; the city manager or his/her designee may collect samples of each hauled load to ensure compliance with applicable standards. The city manager or his/her designee may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.

(d) Industrial waste haulers must provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the industrial waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.
(Ord No. 2117, §1, 7-7-03)

Sec. 38-123. Pretreatment Facility Affirmative Defenses to Discharge Violations.

(a) Bypass. For the purposes of this section.

(1) “Bypass” means the intentional diversion of waste streams from any portion of a user’s treatment facility.

(2) “Severe Property Damage” means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

(b) A user may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of subsection (c) and (d) of this section.

(c) Notice of bypass needed.

(1) If a user knows in advance of the need for a bypass, it shall submit prior notice to the city manager or his/her designee at least ten days before the date of the bypass, if possible.

(2) A user shall submit oral notice to the city manager or his/her designee of an unanticipated bypass that exceeds applicable pretreatment standards within 24 hours from the time it becomes aware of the bypass. A written submission shall also be provided within five days of the time the

user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The city manager or his/her designee may waive the written report on a case-by-case if the oral report has been received within 24 hours.

- (d) Bypass is prohibited, and the city manager or his/her designee may take an enforcement action against a user for a bypass unless:
- (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (2) There were no feasible alternatives to the bypass such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
 - (3) The user submitted notices as required under subsection (c) of this section.
- (e) The city manager or his/her designee may approve an anticipated bypass, after considering its adverse effects, if the city manager or his/her designee determines that it will meet the three conditions listed in subsection (d) of this section.
(Ord. No. 2117, § 1, 7-7-03)

[Sec. 38-124. Reserved]

Sec. 38-125. City's Right of Revision.

The city reserves the right to establish, by future amendment to this division or in wastewater discharge permits, more stringent standards or requirements on discharges to the POTW.
(Ord. No. 2117, § 1, 7-7-03)

Sec. 38-126. Dilution.

No user shall ever increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The city manager or his/her designee may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of mass limitations is appropriate.
(Ord. No. 2117, § 1, 7-7-03)

Sec. 38-127. Confidential Information.

(a) Information and data on a user obtained from reports, surveys, wastewater discharge permit applications, wastewater discharge permits, and monitoring programs, and from the city's inspection and sampling activities, shall be available to the public without restriction, unless the user specifically requests, and is able to demonstrate to the satisfaction of the city manager or his/her designee that the release of such information would divulge information,

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processes, or methods of production entitled to protection as "trade secrets" under applicable state law.

(b) Any such request must be asserted at the time of submission of the information or data. To the extent allowed by law, when requested and demonstrated by the user furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report.

(c) Wastewater constituents and characteristics and other effluent data as will not be recognized as confidential information and will be available to the public without restriction. (Ord. No. 2117, § 1, 7-7-03)

Sec. 38-128. Miscellaneous provisions.

Industrial wastewater pretreatment system operators. Operators of industrial wastewater pretreatment systems must comply with State of Georgia Rule for Certification of Water and Wastewater Treatment Plant Operators and Laboratory Analyst. (Ord. No. 2117, § 1, 7-7-03)

Sec. 38-129. High strength wastewater surcharge.

(a) *Monetary surcharge.* Users discharging "high strength" wastewater into the city wastewater system may be assessed a monetary surcharge, in addition to the normally required wastewater use charges, in an amount to be calculated as shown below. A "high strength" wastewater is defined as wastewater which contains the below shown parameters in excess of the concentration provided in the following schedule:

Limits	BOD ₅	TSS	Ammonia
Design	250 mg/L	250 mg/L	30 mg/L
1 st Level	500 mg/L	500 mg/L	40 mg/L
2 nd Level	750 mg/L	750 mg/L	50 mg/L
Prohibited Level	Above 750 mg/L	Above 750 mg/L	Above 50 mg/L

(b) *Surcharge Basis.* The surcharge rate shall be a cost per pound of BOD₅ suspended solids or ammonia nitrogen. The rate is based on treatment costs for operation and maintenance of the city's wastewater treatment facilities and is subject to periodic revision by the city. The rate shall be multiplied times the pounds of BOD₅ suspended solids or ammonia nitrogen discharged to the sanitary sewer each month by the user. The poundage shall be based on that concentration of BOD₅ suspended solids and ammonia nitrogen over and above the domestic level as defined in subsection 38-128(a) and the volume of wastewater discharged on an average daily basis.

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(c) *Surcharge Rates:* The wastewater surcharge rates for BOD₅ suspended solids and ammonia nitrogen shall be as follows:

Concentration Subject to Surcharge (mg/L)	Rate (per pound)
Five-Day BOD	
251-500	\$ 0.18
500 and above	\$ 0.36
>750	Prohibited
Total Suspended Solids	
251-500	\$ 0.16
500 and above	\$ 0.32
>750	Prohibited
Ammonia Nitrogen	
30 – 40	\$ 0.12
40 and above	\$ 0.24
>50	Prohibited

(d) *Determining Persons Liable for Surcharge:* The city manager or his/her designee shall determine which users are discharging the wastewater collection and treatment system in excess of acceptable levels.

(e) *Quantitative Measurement of Surchargeable Parameters.* The measurement of the surcharge parameters (BOD₅, TSS, ammonia, and phosphorus) shall be conducted as follows:

- (1) Monitoring to determine surcharge shall be conducted by the industrial user as specified in the user's permit except that frequency of testing for surchargeable parameters shall be a minimum of two tests per month. If the permit requires more frequent testing, then the average of all test results will be used to calculate the surcharge. If the permit requires less frequent testing for compliance purposes, then testing frequency will be increased to twice per month.
- (2) The city may sample the user as often as desired at the city's expense. The city will split the sample with the industrial user at the user's request.

(f) *Billing Payment of Surcharge.* The surcharge shall be assessed against each user on the basis of an arithmetic average of all tests conducted for each month and be billed monthly by the city with the normal user charge, and the conditions for payment and penalties applicable to the normal user charge shall apply to the surcharge.
(Ord. No. 2117, §1, 7-7-03)

Secs. 38-130—38-139. Reserved.

Subdivision III. Enforcement and Penalties

Sec. 38-140. Enforcement.

(a) The failure of any person to comply with any provision contained in this division shall be a violation which shall be enforced in accordance with the penalties and provisions as hereinafter set forth.

(b) Inspections. The city manager or his/her designee shall have the right to direct and conduct such investigations as he may reasonably deem necessary to carry out his duties as described in this division. For this purpose, the city manager or his/her designee and his authorized employees and representatives, upon proper presentation of credentials, shall have the right to enter at reasonable times on any property, public or private, for the purpose of investigating and inspecting the conditions relating to pollution and to inspect the operating records of any sewage system, waste treatment work, or other sewage disposal method. Upon refusal of the right of entry, the city manager or his/her designee may apply to the municipal court for an administrative search warrant, upon showing probable cause that a violation exists.

(c) Significant non-compliance. The term "significant non-compliance" shall mean:

- (1) Chronic violations of wastewater discharge limits defined here as 66 percent or more of wastewater measurements taken during a six month period exceed the daily maximum limit or average limit for the same pollutant parameter by any amount.
 - (2) Technical review criteria (TRC) violations, defined here as those in which 33 percent or more of wastewater measurements taken for each pollutant parameter during a six month period equals or exceeds the product of daily maximum limit or the average limit multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
 - (3) Any other discharge violation that the city manager or his/her designee believes has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of POTW personnel or the general public.
 - (4) Any discharge of pollutants that have caused imminent endangerment to the public or to the environment or has resulted in the city manager or his/her designee's exercise of its emergency authority to halt or prevent such a discharge.
 - (5) Failure to meet, within 90 days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance.
 - (6) Failure to provide within 30 days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self monitoring reports, and reports on compliance with compliance schedules; or
 - (7) Failure to accurately report noncompliance.
- (Ord. No. 2117, §1, 7-7-03)

Sec. 38-141. Notice of Violation.

(a) When the city manager or his/her designee finds that a user has violated, or continues to violate, any provision of this division, a wastewater discharge permit or consent order issued hereunder, or any other pretreatment standard or requirement, the city manager or his/her designee shall serve upon that user a written notice of violation.

(b) Within ten days of the receipt of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions shall be submitted by the user to the city manager or his/her designee. Submission of this plan in no way relieves the user of liability for any violations occurring before or after receipt of the notice of violation.

(c) Nothing in this section shall limit the authority of the city manager or his/her designee to take any action, including emergency actions or any other enforcement action, without a notice of violation first being issued.
(Ord. No. 2117, §1, 7-7-03)

Sec. 38-142. Consent Orders.

The city manager or his/her designee may enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with any user responsible for noncompliance. Such documents shall include specific action to be taken by the user to correct the noncompliance within a time period specified in the document. Such documents shall have the same force and effect as binding contracts under Georgia law and shall be judicially enforceable by petition for specific performance. (Ord. No. 2117, §1, 7-7-03)

Section 38-143. Injunctive Relief.

(a) When the city manager or his/her designee finds that a user has violated, or continues to violate, any provision of this division, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, the city manager or his/her designee may petition the Elbert County superior court, through the city attorney, for the issuance of a temporary or permanent injunction, as appropriate, which restrains the further violation and/or compels the specific performance of the wastewater discharge permit, consent order, or other requirement imposed by this division on activities of the user.

(b) The city manager or his/her designee may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the user to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a user.
(Ord. No. 2117, §1, 7-7-03)

Sec. 38-144. Termination of Discharge.

(a) Any user who violates the following conditions is subject to discharge termination:

- (1) Violation of wastewater discharge permit conditions;
- (2) Failure to accurately report the wastewater constituents and characteristics of its discharge;

APPENDIX B

Categorical Standards

§432.117 Effluent limitations attainable by the application of the best control technology for conventional pollutants (BCT).

Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the application of BCT: Limitations for BOD₅, TSS, O&G (as HEM), and fecal coliform are the same as the corresponding limitation specified in §432.112.

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Subpart L—Poultry Further Processing

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§432.120 Applicability.

This part applies to discharges of process wastewater resulting from further processing of poultry.

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§432.121 Special definitions. [Reserved]

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§432.122 Effluent limitations attainable by the application of the best practicable control technology currently available (BPT).

Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart that further processes more than 7 million pounds per year (in units of finished product) must achieve the following effluent limitations representing the application of BPT:

EFFLUENT LIMITATIONS

[BPT]

Regulated parameter	Maximum daily ¹	Maximum monthly avg. ¹
Ammonia (as N)	8.0	4.0
BOD ₅	26	16
Fecal Coliform	(²)	(³)
O&G (as HEM)	14	8.0
TSS	30	20

¹mg/L (ppm).

²Maximum of 400 MPN or CFU per 100 mL at any time.

³No maximum monthly average limitation.

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§432.123 Effluent limitations attainable by the application of the best available technology economically achievable (BAT).

Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart that further processes more than 7 million pounds per year (in units of finished product) must achieve the following effluent limitations representing the application of BAT:

EFFLUENT LIMITATIONS

[BAT]

Regulated parameter	Maximum daily ¹	Maximum monthly avg. ¹
Ammonia (as N)	8.0	4.0
Total Nitrogen	147	103

¹mg/L (ppm).

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§432.124 Pretreatment standards for existing sources (PSES). [Reserved]

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§432.125 New source performance standards (NSPS).

Any source that is a new source subject to this subpart must achieve the following performance standards:

(a) Facilities that further process no more than 7 million pounds per year (in units of finished product) must achieve the following performance standards:

PERFORMANCE STANDARDS

[NSPS]

Regulated parameter	Maximum daily ¹	Maximum monthly avg. ¹
Ammonia (as N)	8.0	4.0
BOD ₅	26	16
Fecal Coliform	(²)	(³)
O&G (as HEM)	14	8.0
TSS	30	20

¹mg/L (ppm).

²Maximum of 400 MPN or CFU per 100 mL at any time.

<https://www.ecfr.gov/cgi-bin/text-idx?SID=3d2fb17dbd60e24beb4d7c8f3d7a2eef&mc=true&node=pt40.32.432&rgn=div5#sp40.32.432.1>

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³No maximum monthly average limitation.

(b) Facilities that further process more than 7 million pounds per year (in units of finished product) must achieve the following performance standards:

EFFLUENT LIMITATIONS

[NSPS]

Regulated parameter	Maximum daily ¹	Maximum monthly avg. ¹
Ammonia (as N)	8.0	4.0
BOD ₅	26	16
Fecal Coliform	(²)	(³)
O&G (as HEM)	14	8.0
TSS	30	20
Total Nitrogen	147	103

¹mg/L (ppm).

²Maximum of 400 MPN or CFU per 100 mL at any time.

³No maximum monthly average limitation.

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§432.126 Pretreatment standards for new sources (PSNS). [Reserved]

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§432.127 Effluent limitations attainable by the application of the best control technology for conventional pollutants (BCT).

Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the application of BCT: Limitations for BOD₅, TSS, O&G (as HEM), and fecal coliform are the same as the corresponding limitation specified in §432.122.

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APPENDIX C

Local Limits Evaluation

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Primary Treatment

Permittee: Pilgrim's Pride Permit No. GAP050073											
Local Limits Determination Based on NPDES Daily Effluent Limits						TABLE 1					
ENVIRONMENTAL CRITERIA AND PROCESS DATA BASE						MAXIMUM LOADING INDUSTRIAL					
Pollutant	IU Pollut. Flow (MGD) (Qind)	POTW Flow (MGD) (Qpotw)	Removal Efficiency (%) (Rpotw)	NPDES Daily Limit (mg/l) (Ccrit)	Domestic and Conc. (mg/l) (Cdom)	Commercial Flow (MGD) (Qdom)	Allowable Headworks (lbs/day) (Lhw)	Domestic/ Commercial (lbs/day) (Ldom)	Allowable Loading (lbs/day) (Lind)	Local Limit (mg/l) (Cind)	Safety Factor (%) (SF)
Ammonia-N	0.375	1.13	90	9	0.7	0.755	848.178	4.40769	674.13471	215.5506667	20
Arsenic											
BOD	0.375	1.13	96.26	37.5	182	0.755	9449.398396	1145.9994	6413.519317	2050.685633	20
Cadmium											
Chromium											
Hex. Chrom.											
COD											
Copper											
Cyanide											
Lead											
Mercury											
Nickel											
Oil & Grease											
Phosphorus											
Silver											
TSS	0.375	1.13	95.76	45	279.08	0.755	10002.09906	1757.28304	6244.396209	1996.609499	20
Zinc											
(Qind)	Industrial User total plant discharge flow in Million Gallons per Day (MGD) that contains a particular pollutant.										
(Qpotw)	POTW's average influent flow in MGD.										
(Rpotw)	Removal efficiency across POTW as percent. (in this case = to Rprim)										
(Ccrit)	NPDES daily maximum permit limit for a particular pollutant in mg/l.										
(Qdom)	Domestic/commercial background flow in MGD.										
(Cdom)	Domestic/commercial background concentration for a particular pollutant in mg/l. (underlined data based upon numbers from 2020 DMR)										
(Lhw)	Maximum allowable headworks pollutant loading to the POTW in pounds per day (lbs/day).										
(Ldom)	Domestic/commercial background loading to the POTW for a particular pollutant in pounds per day (lbs/day).										
(Lind)	Maximum allowable industrial loading to the POTW in pounds per day.										
(Cind)	Industrial allowable local limit for a given pollutant in mg/l.										
(SF)	Safety factor as a percent.										
8.34	Unit conversion factor										
Lhw =	8.34 * Ccrit * Qpotw										
	1 - Rpotw										

Primary Treatment

TABLE 2											
Local Limits Determination Based on NPDES Monthly Effluent Limits											
ENVIRONMENTAL CRITERIA AND PROCESS DATA BASE						MAXIMUM LOADING INDUSTRIAL					
Pollutant	IU Pollut. Flow (MGD) (Qind)	POTW Flow (MGD) (Qpotw)	Removal Efficiency (%) (Rpotw)	NPDES Monthly Limit (mg/l) (Ccrit)	Domestic and Conc. (mg/l) (Cdom)	Commercial Flow (MGD) (Qdom)	Allowable Headworks (lbs/day) (Lhw)	Domestic/ Commercial (lbs/day) (Ldom)	Allowable Loading (lbs/day) (Lind)	Local Limit (mg/l) (Cind)	Safety Factor (%) (SF)
Ammonia-N	0.375	0.9	90	9	0.7	0.525	675.54	3.06495	537.36705	171.82	20
Arsenic											
BOD	0.375	0.9	96.26	37.5	143.17	0.525	7526.069519	626.869845	5393.98577	1724.69569	20
Cadmium											
Chromium											
Hex. Chrom.											
COD											
Copper											
Cyanide											
Lead											
Mercury											
Nickel											
Oil & Grease											
Phosphorus											
Silver											
TSS	0.375	0.9	95.76	45	195.83	0.525	7966.273585	857.441655	5515.577213	1763.573849	20
Zinc											
(Qind)	Industrial User total plant discharge flow in Million Gallons per Day (MGD) that contains a particular pollutant.										
(Qpotw)	POTW's average influent flow in MGD.										
(Rpotw)	Removal efficiency across POTW as percent. (in this case = to Rprim)										
(Ccrit)	NPDES daily maximum permit limit for a particular pollutant in mg/l.										
(Qdom)	Domestic/commercial background flow in MGD.										
(Cdom)	Domestic/commercial background concentration for a particular pollutant in mg/l. (underlined data based upon numbers from 2020 DMR)										
(Lhw)	Maximum allowable headworks pollutant loading to the POTW in pounds per day (lbs/day).										
(Ldom)	Domestic/commercial background loading to the POTW for a particular pollutant in pounds per day (lbs/day).										
(Lind)	Maximum allowable industrial loading to the POTW in pounds per day.										
(Cind)	Industrial allowable local limit for a given pollutant in mg/l.										
(SF)	Safety factor as a percent.										
8.34	Unit conversion factor										
Lhw =	8.34 * Ccrit * Qpotw										
	1 - Rpotw										

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Primary Treatment

TABLE 3											
Local Limits Determination Based on Activated Sludge Inhibition Level											
ENVIRONMENTAL CRITERIA AND PROCESS DATA BASE						MAXIMUM LOADING		INDUSTRIAL			
Pollutant	IU Pollut. Flow (MGD) (Qind)	POTW Flow (MGD) (Qpotw)	Removal Efficiency (%) (Rprim)	Activated Sludge Inhibition Level (mg/l) (Ccrit)	Domestic and Conc. (mg/l) (Cdom)	Commercial Flow (MGD) (Qdom)	Allowable Headworks (lbs/day) (Lhw)	Domestic/ Commercial (lbs/day) (Ldom)	Allowable Loading (lbs/day) (Lind)	Local Limit (mg/l) (Cind)	Safety Factor (%) (SF)
Ammonia-N	0.375	0.9	90	480	0.7	0.525	36028.8	3.06495	28819.97505	9215.02	20
Arsenic											
BOD											
Cadmium											
Chromium											
Hex. Chrom.											
COD											
Copper											
Cyanide											
Lead											
Mercury											
Nickel											
Oil & Grease											
Phosphorus											
Silver											
TSS											
Zinc	0.375	0.9	27	0.3	0.231	0.525	3.084657534	1.0114335	1.456292527	0.465641096	20
(Qind)	Industrial User total plant discharge flow in Million Gallons per Day (MGD) that contains a particular pollutant.										
(Qpotw)	POTW's average influent flow in MGD.										
(Rprim)	Removal efficiency across primary treatment as percent.										
(Ccrit)	Activated sludge threshold inhibition level, mg/l.										
(Qdom)	Domestic/commercial background flow in MGD.										
(Cdom)	Domestic/commercial background concentration for a particular pollutant in mg/l.										
(Lhw)	Maximum allowable headworks pollutant loading to the POTW in pounds per day (lbs/day).										
(Ldom)	Domestic/commercial background loading to the POTW for a particular pollutant in pounds per day (lbs/day).										
(Lind)	Maximum allowable industrial loading to the POTW in pounds per day.										
(Cind)	Industrial allowable local limit for a given pollutant in mg/l.										
(SF)	Safety factor as a percent.										
8.34	Unit conversion factor										
Lhw =	8.34 * Ccrit * Qpotw										
	1 - Rprim										
...											
...											

Primary Treatment

TABLE 4											
Local Limits Determination Based on Nitrification Inhibition Level											
ENVIRONMENTAL CRITERIA AND PROCESS DATA BASE						MAXIMUM LOADING		INDUSTRIAL			
Pollutant	IU Pollut. Flow (MGD) (Qind)	POTW Flow (MGD) (Qpotw)	Removal Efficiency (%) (Rsec)	Nitrification Inhibition Level (mg/l) (Ccrit)	Domestic and Conc. (mg/l) (Cdom)	Commercial Flow (MGD) (Qdom)	Allowable Headworks (lbs/day) (Lhw)	Domestic/ Commercial (lbs/day) (Ldom)	Allowable Loading (lbs/day) (Lind)	Local Limit (mg/l) (Cind)	Safety Factor (%) (SF)
Ammonia-N											
Arsenic											
BOD											
Cadmium											
Chromium											
Hex. Chrom.											
COD											
Copper											
Cyanide											
Lead											
Mercury											
Nickel											
Oil & Grease											
Phosphorus											
Silver											
TSS											
Zinc	0.375	0.9	79	0.08	0.0231	0.525	2.859428571	0.10114335	2.186399507	0.699088571	20
(Qind)	Industrial User total plant discharge flow in Million Gallons per Day (MGD) that contains a particular pollutant.										
(Qpotw)	POTW's average influent flow in MGD.										
(Rsec)	Removal efficiency across primary treatment and secondary treatment as percent.										
(Ccrit)	Nitrification threshold inhibition level, mg/l.										
(Qdom)	Domestic/commercial background flow in MGD.										
(Cdom)	Domestic/commercial background concentration for a particular pollutant in mg/l.										
(Lhw)	Maximum allowable headworks pollutant loading to the POTW in pounds per day (lbs/day).										
(Ldom)	Domestic/commercial background loading to the POTW for a particular pollutant in pounds per day (lbs/day).										
(Lind)	Maximum allowable industrial loading to the POTW in pounds per day.										
(Cind)	Industrial allowable local limit for a given pollutant in mg/l.										
(SF)	Safety factor as a percent.										
8.34	Unit conversion factor										
Lhw =	8.34 * Ccrit * Qpotw										
	1 - Rsec										
...											
...											

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Primary Treatment

TABLE 5													
Local Limits Determination Based on USEPA 503 Sludge Regulations													
ENVIRONMENTAL CRITERIA AND PROCESS DATA BASE													
Pollutant	IU Pollut.	POTW	Sludge	Percent	Removal	503 Sludge	Domestic and	Commercial	MAXIMUM LOADING		INDUSTRIAL		
	Flow	Flow	Flow	Solids	Efficiency	Criteria	Conc.	Flow	Allowable	Domestic/	Allowable	Local	Safety
	(MGD)	(MGD)	(MGD)	(%)	(%)	(mg/kg)	(mg/l)	(MGD)	Headworks	Commercial	Loading	Limit	Factor
	(Qind)	(Qpotw)	(Qsldg)	(PS)	(Rpotw)		(Cdom)	(Qdom)	(Lhw)	(Ldom)	(Lind)	(Cind)	(SF)
Ammonia-N													
Arsenic													
BOD													
Cadmium													
Chromium													
Hex. Chrom.													
COD													
Copper													
Cyanide													
Lead													
Mercury													
Nickel													
Oil & Grease													
Phosphorus													
Silver													
TSS													
Zinc													
(Qind)	Industrial User total plant discharge flow in Million Gallons per Day (MGD) that contains a particular pollutant.												
(Qpotw)	POTW's average influent flow in MGD.												
(Qsldg)	Sludge flow to disposal in MGD.												
(PS)	Percent solids of sludge to disposal.												
(Rpotw)	Removal efficiency across POTW as a percent.												
(Cslcrit)	503 sludge criteria in mg/kg dry sludge.												
(Qdom)	Domestic/commercial background flow in MGD.												
(Cdom)	Domestic/commercial background concentration for a particular pollutant in mg/l.												
(Lhw)	Maximum allowable headworks pollutant loading to the POTW in pounds per day (lbs/day).												
(Ldom)	Domestic/commercial background loading to the POTW for a particular pollutant in pounds per day (lbs/day).												
(Lind)	Maximum allowable industrial loading to the POTW in pounds per day.												
(Cind)	Industrial allowable local limit for a given pollutant in mg/l.												
(SF)	Safety factor as a percent.												
8.34	Unit conversion factor												
Lhw =	$8.34 * Cslcrit * (PS/100) * Qsldg$												
	Rpotw												
..													

Primary Treatment

TABLE 6													
Local Limits Determination Based on State Sludge Criteria													
ENVIRONMENTAL CRITERIA AND PROCESS DATA BASE													
Pollutant	IU Pollut.	POTW	Sludge	Percent	Removal	State Sludge	Domestic and	Commercial	MAXIMUM LOADING		INDUSTRIAL		
	Flow	Flow	Flow	Solids	Efficiency	Criteria	Conc.	Flow	Allowable	Domestic/	Allowable	Local	Safety
	(MGD)	(MGD)	(MGD)	(%)	(%)	(mg/kg)	(mg/l)	(MGD)	Headworks	Commercial	Loading	Limit	Factor
	(Qind)	(Qpotw)	(Qsldg)	(PS)	(Rpotw)	(Cslcrit)	(Cdom)	(Qdom)	(Lhw)	(Ldom)	(Lind)	(Cind)	(SF)
Ammonia-N													
Arsenic													
BOD													
Cadmium													
Chromium													
Hex. Chrom.													
COD													
Copper													
Cyanide													
Lead													
Mercury													
Nickel													
Oil & Grease													
Phosphorus													
Silver													
TSS													
Zinc													
(Qind)	Industrial User total plant discharge flow in Million Gallons per Day (MGD) that contains a particular pollutant.												
(Qpotw)	POTW's average influent flow in MGD.												
(Qsldg)	Sludge flow to disposal in MGD.												
(PS)	Percent solids of sludge to disposal.												
(Rpotw)	Removal efficiency across POTW as a percent.												
(Cslcrit)	State sludge criteria in mg/kg dry sludge.												
(Qdom)	Domestic/commercial background flow in MGD.												
(Cdom)	Domestic/commercial background concentration for a particular pollutant in mg/l.												
(Lhw)	Maximum allowable headworks pollutant loading to the POTW in pounds per day (lbs/day).												
(Ldom)	Domestic/commercial background loading to the POTW for a particular pollutant in pounds per day (lbs/day).												
(Lind)	Maximum allowable industrial loading to the POTW in pounds per day.												
(Cind)	Industrial allowable local limit for a given pollutant in mg/l.												
(SF)	Safety factor as a percent.												
8.34	Unit conversion factor												
Lhw =	$8.34 * Cslcrit * (PS/100) * Qsldg$												
	Rpotw												
..													

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TABLE 7													
Local Limits Determination Based on Chronic Water Quality Standards													
ENVIRONMENTAL CRITERIA AND PROCESS DATA BASE													
MAXIMUM LOADING													
INDUSTRIAL													
Pollutant	IU Pollut. Flow (MGD) (Qind)	POTW Flow (MGD) (Qpotw)	Upstream Flow (MGD) (Qstr)	Upstream Conc. (mg/l) (Cstr)	Removal Efficiency (%) (Rpotw)	Chronic WQS (mg/l) (Ccrit)	Domestic and Conc. (mg/l) (Cdom)	Commercial Flow (MGD) (Qdom)	Allowable Headworks (lbs/day) (Lhw)	Domestic/ Commercial (lbs/day) (Ldom)	Allowable Loading (lbs/day) (Lind)	Local Limit (mg/l) (Cind)	Safety Factor (%) (SF)
Ammonia-N	0.375	0.9	540		45	0.27915	0.007	0.525	2289.591345	0.0306495	2060.6016	658.865	10
Arsenic													
BOD													
Cadmium*													
Chromium*													
Hex. Chrom.													
COD													
Copper*													
Cyanide													
Lead*													
Mercury													
Nickel*													
Oil & Grease													
Phosphorus													
Silver													
TSS													
Zinc*	0.375	0.9	540		79	0.12282	0.231	0.525	2638.352566	1.0114335	2373.5059	758.915	10
(Qind)	Industrial User total plant discharge flow in Million Gallons per Day (MGD) that contains a particular pollutant.												
(Qpotw)	POTW's average influent flow in MGD.												
(Qstr)	Receiving stream (upstream) 7Q10 flow in MGD.												
(Cstr)	Receiving stream background level in mg/l.												
(Rpotw)	Removal efficiency across POTW as percent.												
(Ccrit)	State chronic water quality standard for a particular pollutant in mg/l.												
(Qdom)	Domestic/commercial background flow in MGD.												
(Cdom)	Domestic/commercial background concentration for a particular pollutant in mg/l.												
(Lhw)	Maximum allowable headworks pollutant loading to the POTW in pounds per day (lbs/day).												
(Ldom)	Domestic/commercial background loading to the POTW for a particular pollutant in pounds per day (lbs/day).												
(Lind)	Maximum allowable industrial loading to the POTW in pounds per day.												
(Cind)	Industrial allowable local limit for a given pollutant in mg/l.												
(SF)	Safety factor as a percent.												
8.34	Unit conversion factor												
Lhw =	$8.34 * (Ccrit * (Qstr + Qpotw) - (Cstr * Qstr))$												
--	1 - Rpotw												
--													

Primary Treatment

TABLE 8													
Local Limits Determination Based on Acute Water Quality Standards													
ENVIRONMENTAL CRITERIA AND PROCESS DATA BASE													
MAXIMUM LOADING													
INDUSTRIAL													
Pollutant	IU Pollut. Flow (MGD) (Qind)	POTW Flow (MGD) (Qpotw)	Upstream Flow (MGD) (Qstr)	Upstream Conc. (mg/l) (Cstr)	Removal Efficiency (%) (Rpotw)	Acute WQS (mg/l) (Ccrit)	Domestic and Conc. (mg/l) (Cdom)	Commercial Flow (MGD) (Qdom)	Allowable Headworks (lbs/day) (Lhw)	Domestic/ Commercial (lbs/day) (Ldom)	Allowable Loading (lbs/day) (Lind)	Local Limit (mg/l) (Cind)	Safety Factor (%) (SF)
Ammonia-N	0.375	0.9	540		45	0.63273	0.007	0.525	5189.658363	0.0306495	4670.6619	1493.42	10
Arsenic													
BOD													
Cadmium*													
Chromium*													
Hex. Chrom.													
COD													
Copper*													
Cyanide													
Lead*													
Mercury													
Nickel*													
Oil & Grease													
Phosphorus													
Silver													
TSS													
Zinc	0.375	0.9	540		79	0.12182	0.231	0.525	2616.871109	1.0114335	2354.1726	752.733	10
(Qind)	Industrial User total plant discharge flow in Million Gallons per Day (MGD) that contains a particular pollutant.												
(Qpotw)	POTW's average influent flow in MGD.												
(Qstr)	Receiving stream (upstream) 1Q10 flow in MGD.												
(Cstr)	Receiving stream background level in mg/l.												
(Rpotw)	Removal efficiency across POTW as percent.												
(Ccrit)	State acute water quality standard for a particular pollutant in mg/l.												
(Qdom)	Domestic/commercial background flow in MGD.												
(Cdom)	Domestic/commercial background concentration for a particular pollutant in mg/l.												
(Lhw)	Maximum allowable headworks pollutant loading to the POTW in pounds per day (lbs/day).												
(Ldom)	Domestic/commercial background loading to the POTW for a particular pollutant in pounds per day (lbs/day).												
(Lind)	Maximum allowable industrial loading to the POTW in pounds per day.												
(Cind)	Industrial allowable local limit for a given pollutant in mg/l.												
(SF)	Safety factor as a percent.												
8.34	Unit conversion factor												
Lhw =	$8.34 * (Ccrit * (Qstr + Qpotw) - (Cstr * Qstr))$												
--	1 - Rpotw												
--													

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TABLE 9 Local Limits Determination Based on Anaerobic Digester Inhibition Level												
ENVIRONMENTAL CRITERIA AND PROCESS DATA BASE												
MAXIMUM LOADING INDUSTRIAL												
Pollutant	IU Pollut. (MGD) (Qind)	POTW Flow (MGD) (Qpotw)	Sludge Flow to Digester (MGD) (Qdig)	Removal Efficiency (%) (Rpotw)	Anaerobic Digester Inhibition Level (mg/l) (Ccrit)	Domestic and Conc. (mg/l) (Cdom)	Commercial Flow (MGD) (Qdom)	Allowable Headworks (lbs/day) (Lhw)	Domestic/ Commercial (lbs/day) (Ldom)	Allowable Loading (lbs/day) (Lind)	Local Limit (mg/l) (Cind)	Safety Factor (%) (SF)
Ammonia-N												
Arsenic												
BOD												
Cadmium												
Chromium												
Hex. Chrom.												
COD												
Copper												
Cyanide												
Lead												
Mercury												
Nickel												
Oil & Grease												
Phosphorus												
Silver												
TSS												
Zinc												
(Qind)	Industrial User total plant discharge flow in Million Gallons per Day (MGD) that contains a particular pollutant.											
(Qpotw)	POTW's average influent flow in MGD.											
(Qdig)	Sludge flow to digester in MGD.											
(Rpotw)	Removal efficiency across POTW as percent.											
(Ccrit)	Anaerobic digester threshold inhibition level in mg/l.											
(Qdom)	Domestic/commercial background flow in MGD.											
(Cdom)	Domestic/commercial background concentration for a particular pollutant in mg/l.											
(Lhw)	Maximum allowable headworks pollutant loading to the POTW in pounds per day (lbs/day).											
(Ldom)	Domestic/commercial background loading to the POTW for a particular pollutant in pounds per day (lbs/day).											
(Lind)	Maximum allowable industrial loading to the POTW in pounds per day.											
(Cind)	Industrial allowable local limit for a given pollutant in mg/l.											
(SF)	Safety factor as a percent.											
8.34	Unit conversion factor											
Lhw =	$8.34 * Ccrit * Qdig$											
Rpotw												

Primary Treatment

TABLE 10 Local Limits Determination Based on Most Stringent Criteria or Domestic Levels					
MONTHLY AVERAGE INDUSTRIAL EFFLUENT LIMITS - USING TOTAL INDUSTRIAL FLOW					
Pollutant	Local Limit (mg/l)	Basis in Derivation of Limit	Local Limit Loading (kg/day)	Current permit limits (mg/L)	SUO (mg/L)
Ammonia-N	171.82	P	244.19918	21	50
Arsenic	658.8654	W	0		
BOD	1724.696	P	2451.2237	250	750
Cadmium	0	P	0		
Chromium	0	C	0		
Hex. Chrom.	0	P	0		
COD	0	P	0		
Copper	0	C	0		
Cyanide	0	C	0		
Lead	0	P	0		
Mercury	0	P	0		
Nickel	0	P	0		
Oil & Grease	0	P	0	100	100.0
Phosphorus	0	P	0		
Silver	0	P	0		5.0
TSS	1763.574	P	2506.4793	250	750
Zinc	0.699089	I	0.9935796		3
D	Local Limit based on domestic or default values.				
I	Local Limit based on activated sludge, nitrification or digester inhibition levels.				
P	Local Limit based on NPDES Permit effluent limits.				
S	Local Limit based on sludge regulations or criteria.				
W	Local Limit based on chronic or acute water quality standards.				
C	Local Limit based on Categorical Standard				